

NO. 30177

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

DARLENE MARKS, Petitioner-Appellee,

v.

MIKE JAMES TODD, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FC-DA NO. 09-1-0422)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon review of the record, it appears that:

(1) Respondent-Appellant Michael James Todd (Appellant) filed a notice of appeal on November 12, 2009; (2) on January 11, 2010, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on January 21, 2010 and the opening brief was due on February 20, 2010; (3) Appellant did not file the jurisdictional statement or the opening brief; (4) on March 4, 2010, the appellate clerk informed Appellant that (a) the time to file the jurisdictional statement and the opening brief expired; (b) the matter would be brought to the attention of the court on March 11, 2010 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (5) Appellant did not file the jurisdictional statement or the opening brief. Therefore,

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, April 22, 2010.

Chief Judge

Associate Judge

Associate Judge