

**Electronically Filed
Intermediate Court of Appeals
CAAP-11-0000421
28-DEC-2011
08:01 AM**

NO. CAAP-11-0000421

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
RUSSELL KAHO'OKELE, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CASE NO. 2DTC-10-001265)

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

Upon review of the record, it appears that:

- (1) on May 19, 2011, Defendant-Appellant Russell K. Kahookele (Appellant) filed a notice of appeal; (2) the record on appeal was filed on July 18, 2011, and the appellate clerk informed Appellant that the jurisdictional statement was due on July 28, 2011 and the opening brief was due on August 29, 2011;
- (3) Appellant did not file either document; (4) on November 4, 2011, the appellate clerk provided notice to Appellant that:

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

(a) the time to file the jurisdictional statement and the opening brief expired; (b) the matter would be called to the attention of the court on November 14, 2011; 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 and the opening brief or seek relief from default. Therefore,

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

DATED: Honolulu, Hawai'i, December 28, 2011.


Chief Judge


Associate Judge


Associate Judge