

NO. 30661

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

GREG HOUGHTALING, Petitioner,  
DENISE HOUGHTALING, Petitioner-Appellee,  
v.  
PETER FROST, Respondent-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
NORTH AND SOUTH HILO DIVISIONS  
(CIVIL NO. 3SS-09-1-204 )

ORDER

(By: Nakamura, C.J., Leonard and Ginoza, JJ.)

Upon consideration of Petitioner-Appellee Denise Houghtaling's Motion to Dismiss Appeal, the papers in support, and the records and files herein, it appears that: (1) On August 17, 2010, the appellate clerk filed the record on appeal and notified Respondent-Appellant Peter Frost (Appellant) that the statement of jurisdiction was due August 30, 2010 and the opening brief was due September 25, 2010; (2) Appellant filed the statement of jurisdiction on August 30, 2010; (3) the court granted Appellant two extensions of time to file the opening brief, but Appellant did not file the opening brief; (4) on December 28, 2010, Appellee moved to dismiss this appeal due to Appellant's failure to file the opening brief; and (5) Appellant did not respond to or oppose the motion to dismiss.

Therefore, IT IS HEREBY ORDERED that the motion to dismiss is granted, and this appeal is dismissed.

DATED: Honolulu, Hawai'i, January 26, 2011.

Chief Judge

Associate Judge

Associate Judge