

NO. CAAP-10-0000079

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
FREDDIE LEE WOODARD, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3DTI-10-060924)

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 February 25, 2011, this court issued an order directing Defendant-Appellant Freddie Lee Woodard (Appellant) to file the opening brief within forty days after the clerk of the district court transmits the supplemental record on appeal to the appellate clerk; (2) the district court clerk filed the supplemental record on appeal on April 4, 2011; (3) Appellant did not file the opening brief within forty days after the supplemental record was filed; (4) on June 28, 2011, the

appellate clerk provided notice to Appellant that: (a) the time to file the opening brief expired; (b) the matter would be called to the attention of the court on July 5, 2011; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; and (5) Appellant did not file 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, July 25, 2011.

Chief Judge

Associate Judge

Associate Judge