

NO. CAAP-11-0000406

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
THOMAS R. ANTHONY, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3DTC-10-004071)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 11(c)(2)
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon review of the record, it appears that:

(1) on May 16, 2011, Defendant-Appellant Thomas R. Anthony (Appellant) filed a notice of appeal; (2) he did not pay the filing fee or move to waive the filing fee; (3) on February 17, 2012, the appellate clerk notified Appellant that: (a) the filing fee was not paid and the record could not be prepared and filed without payment of the filing fee or an order allowing Appellant

to proceed in forma pauperis pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 24; and (b) the matter would be called to the attention of the court on February 27, 2012 for action as the court deemed proper pursuant to HRAP Rule 11(c)(2), including dismissal of the appeal; and (4) thereafter, Appellant took no further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 19, 2012.

Presiding Judge

Associate Judge

Associate Judge