

NO. CAAP-12-0000795

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

STATE OF HAWAI'I, Plaintiff-Appellee,  
v.  
KAPONO KANIELA TUMALE, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CASE NO. 2DTC-12-05109)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 24(c)  
(By: Fujise, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon review of the record, it appears that:

- (1) on September 18, 2012, Defendant-Appellant Kapono Kaniela Tumale (Appellant) filed a notice of appeal;
- (2) on September 18, 2012 the appellate clerk informed Appellant that a filing fee of \$100 was due, that the filing fee must be paid by September 27, 2012 and that failure to pay the filing fee may result in the dismissal of the appeal;
- (3) on September 28, 2012, this court denied Appellant's motion for leave to proceed in forma pauperis;
- (4) on October 26, 2012, this court issued an order denying Appellant's motions for reconsideration for leave to proceed in

forma pauperis, ordered Appellant to pay the filing fee within 10 days of the date of the order, and stated that failure to pay the filing fee may result in dismissal of the appeal; and (5) as of November 12, 2012, Appellant did not pay the filing fee.

Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed, pursuant to Hawai'i Rules of Appellate Procedure Rule 24(c).

DATED: Honolulu, Hawai'i, November 29, 2012.

Presiding Judge

Associate Judge

Associate Judge