

NO. CAAP-12-0000719

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
MICHAEL TANAKA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1DTI-12-103806)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30

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

Upon review of the record, it appears that:

- (1) On August 14, 2012, Defendant-Appellant Michael N. Tanaka (Appellant), pro se, filed a notice of appeal;
- (2) The record on appeal was filed on October 12, 2012, and the appellate clerk informed Appellant that the statement of jurisdiction was due by October 22, 2012, and the opening brief was due by November 21, 2012;
- (3) Appellant did not file either document;
- (4) On January 15, 2013, the appellate clerk informed Appellant that the time for filing the statement of jurisdiction and opening brief had expired and, pursuant to Rule 30 of the

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Hawai'i Rules of Appellate Procedure, the matter would be called to the court's attention on January 25, 2013, for such action as the court deems proper, which could include dismissal; and

(5) Thereafter, Appellant did not file the statement of jurisdiction and opening brief, or respond to the notice of default. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, February 12, 2013.

Chief Judge

Associate Judge

Associate Judge