

NO. CAAP-12-0000859

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

JOHN KENNETH KEONI WATSON, Plaintiff-Appellee, v.
SHAWNA E. WATSON, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 10-1-1891)

ORDER DISMISSING APPEAL PURSUANT HRAP RULE 30
(By: Nakamura, C.J., Foley and Fujise, JJ.)

Upon review of the record, it appears that:

(1) On October 17, 2012, Defendant-Appellant Shawna E. Watson (Appellant), filed a notice of appeal;

(2) The record on appeal was filed on December 10, 2012, and the appellate clerk informed Appellant that the statement of jurisdiction was due by December 20, 2012, and the opening brief was due by January 22, 2013;

(3) Appellant did not file either document;

(4) On March 14, 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 Hawai'i Rules of Appellate Procedure (HRAP), the matter would be called to the court's attention on March 25, 2013, for such action as the court deems proper, which could include dismissal;

(5) On April 3, 2013, the court granted Appellant's motion for relief from default of the statement of jurisdiction and opening brief, and extended the due dates for filing the statement of jurisdiction and opening brief to April 15, 2013, and May 13, 2013, respectively;

(6) On June 3, 2013, because it was unclear whether the appellate clerk mailed the April 3, 2013 order to Appellant, the court sua sponte extended the due dates for filing the statement of jurisdiction and opening brief to June 13, 2013, and July 13, 2013, respectively, and ordered the appellate clerk to mail the April 3, 2013 and June 3, 2013 orders to Appellant;

(7) The appellate clerk mailed the April 3, 2013 and June 3, 2013 orders to Appellant;

(8) Appellant filed a statement of jurisdiction on June 13, 2013;

(9) Thereafter, Appellant did not file the opening brief. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed, pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, July 25, 2013.

Chief Judge

Associate Judge

Associate Judge