

NO. CAAP-12-0001005

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

CHRISTOPHER K. ESPIRITU, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(S.P.P. NO. 12-1-0006(1))

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

Upon review of the record, it appears that:

(1) On November 14, 2012, Petitioner-Appellant Christopher K. Espiritu (Appellant), pro se, filed a notice of appeal;

(2) The record on appeal was filed on January 14, 2013;

(3) On January 15, 2013, the appellate clerk informed Appellant that the statement of jurisdiction was due by January 25, 2013, and the opening brief was due by February 25, 2013;

(4) On February 5, 2013, the court granted in part Appellant's January 29, 2013 motion for an extension for the statement of jurisdiction and opening brief, and extended the due dates for the statement of jurisdiction to February 25, 2013, and the opening brief to March 27, 2013;

(5) On March 6, 2013, the court denied Appellant's February 22, 2013 motion for appointment of counsel and sua sponte extended the due date for the statement of jurisdiction to March 18, 2013;

(6) Appellant did not file a statement of jurisdiction or opening brief;

(7) On April 11, 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, the matter would be called to the court's attention on April 22, 2013, for such action as the court deems proper, which could include dismissal; and

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

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 3, 2013.

Chief Judge

Associate Judge

Associate Judge