

NO. CAAP-12-0001084

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

LYNN LINDER NAKKIM, Plaintiff-Appellant,
v.
JOHN AUE, Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3RC12-1-260H)

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 December 17, 2012, Plaintiff-Appellant Lynn Linder Nakkim (Appellant) filed a notice of appeal;
- (2) The record on appeal was filed on February 15, 2013, and the appellate clerk informed Appellant that the opening brief was due by April 1, 2013;
- (3) Appellant did not file an opening brief;

(4) On April 22, 2013, the appellate clerk informed Appellant that the time for filing the 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 May 2, 2013, for such action as the court deems proper, which could include dismissal; and

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

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 17, 2013.

Chief Judge

Associate Judge

Associate Judge