

NO. CAAP-13-0001434

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

KAPONO KANIELE TUMALE, Plaintiff-Appellant, v.
STATE OF HAWAII, Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CASE NOS. 2DTC-12-003778 and 2DTI-13-000890)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 24(c)
(By: Nakamura, C.J., Leonard and Reifurth, JJ.)

Upon review of the record, it appears that:

- (1) On June 17, 2013, Defendant-Appellant Kapono Kaniela Tumale (Appellant), pro se, filed a notice of appeal;
- (2) On June 24, 2013, the court denied Appellant's motion for leave to proceed on appeal in forma pauperis, and ordered Appellant to pay all unpaid filing fees within ten days from the date of the order, or the appeal could be dismissed. See Hawai'i Rules of Appellant Procedure Rule 24(c); and

(3) Appellant did not file a motion for reconsideration of the June 24, 2013 order, pay the filing fees, or give security for costs.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for failure to pay the filing fees or give security for costs.

DATED: Honolulu, Hawai'i, October 29, 2013.

Chief Judge

Associate Judge

Associate Judge