

NO. 29074

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

GENARO GUALDARAMA, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPP NO. 06-1-0045)

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) Petitioner-Appellant Genaro Gualdarama (Appellant) filed a notice of appeal on March 17, 2008; (2) on May 16, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on May 26, 2008, and the opening brief was due on June 25, 2008; (3) after the court granted Appellant two extensions of time, Appellant filed the jurisdictional statement on August 28, 2008; (4) the court granted Appellants numerous extensions of time to file the opening brief; (5) after the last extension, the brief became due October 15, 2009; (6) Appellant did not file the opening brief on the due date; (7) on October 23, 2009, the appellate clerk informed Appellant: (a) the time to file the opening brief expired on October 15, 2009; (b) the matter would be brought to the attention of the court on October 30, 2009 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedures (HRAP) Rule 30; (8) Appellant did not file the opening brief or seek relief from default. Therefore,

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

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

DATED: Honolulu, Hawai'i, January 22, 2010.

Chief Judge

Associate Judge

Associate Judge