

NO. 29450

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

WILLIAM KAOHU, SR., Petitioner-Appellant,

v.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(S.P.P. NO. 08-1-0003K (Cr. No. 06-1-0174))

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) on October 28, 2008, Defendant-Appellant William Kaohu, Sr. (Appellant) filed a notice of appeal; (2) the court granted Appellant three extensions of time to file the opening brief, and the opening brief was finally due on January 15, 2010; (3) Appellant did not file the opening brief; (4) on January 22, 2010, the appellate clerk informed Appellant that: (a) the time to file the opening brief expired; (b) the matter would be called to the attention of the court on February 1, 2010 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (5) Appellant did not file the opening brief or seek relief from default. Therefore,

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

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

Chief Judge

Associate Judge

Associate Judge