

NO. 30134

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

MATSUE TANIGUCHI AND ASSOCIATES, Plaintiff-Appellant, v.
JOSEPH HINTON, Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3RC09-1-0308K)

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) Plaintiff-Appellant Matsue Taniguchi and Associates (Appellant) filed a notice of appeal on October 23, 2009; (2) on December 22, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on January 1, 2010 and the opening brief was due on January 31, 2010; (3) Appellant did not file the jurisdictional statement or the opening brief; (4) on February 4, 2010, the appellate clerk informed Appellant that (a) the time to file the jurisdictional statement and the opening brief expired; (b) the matter would be brought to the attention of the court on February 11, 2010 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (5) although Appellant wrote to the appellate clerk acknowledging receipt of the letter, Appellant did not file the jurisdictional statement or the opening brief. 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NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER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, April 22, 2010.

Chief Judge

Associate Judge

Associate Judge