

NO. 30050

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

GERALD M. STEHURA, Plaintiff-Appellee,

v.

ROBERT KELIIHOOMALU, JR., et al., Defendants-Appellants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 07-1-0101)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By; Nakamura, C.J., Foley and Fujise, JJ.)

Upon review of the record, it appears that: (1) on September 10, 2009, Defendant-Appellant Robert Keliihoomalu, Jr. (Appellant) filed a notice of appeal; (2) on November 9, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on November 19, 2009 and the opening brief was due on December 19, 2009; (3) Appellant did not file the jurisdictional statement or the opening brief; (4) on December 28, 2009, the appellate clerk informed Appellant: (a) the time for filing the jurisdictional statement and the opening brief had expired; (b) the matter would be called to the attention of the court on January 4, 2010 for such action as the court deemed proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (5) Appellant did not file the jurisdictional statement or the opening brief; and (6) Appellant did not 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NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER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, February 23, 2010.

Chief Judge

Associate Judge

Associate Judge