

NO. 30208

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

DUSTIN CROSS and SANDI ADELE SCHNEIDERMAN,
Plaintiffs/Counterclaim Defendants-Appellees,

v.

THERESA ILENE HARDEN,
Defendant/Counterclaim Plaintiff-Appellant,

and

JOHN DOES 1-10; et al, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 08-1-0263)

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

Upon review of the record, it appears that: (1) on December 1, 2009, Defendant-Appellant Theresa Ilene Harden (Appellant) filed a notice of appeal; (2) on February 1, 2010, the appellate clerk filed a notice of entering case on calendar and notified Appellant the statement of jurisdiction was due on February 11, 2010, and the opening brief was due on March 13, 2010; (3) Appellant filed the statement of jurisdiction on February 11, 2010; (4) Appellant obtained an extension of time until April 14, 2010 to file the opening brief, but she did not file the opening brief by that date; (5) on April 22, 2010, the appellate clerk informed Appellant: (a) the time to file the opening brief expired; (b) the matter would be called to the attention of the court on April 29, 2010 for such action as the court deemed proper; and (c) the appeal may be dismissed pursuant

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

to HRAP Rule 30; and (6) 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, June 3, 2010.

Chief Judge

Associate Judge

Associate Judge