

NO. CAAP-12-0000668

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

STATE OF HAWAI'I, Plaintiff-Appellee,  
v.  
ANDREW JOY, Defendant-Appellee,  
and  
EXODUS BAIL BONDS, Real Party in Interest-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CR. NO. 12-1-199)

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

Upon review of the record, it appears that:

(1) On July 26, 2012, Real Party in Interest-Appellant Exodus Bail Bond (Appellant) filed a notice of appeal;

(2) The record on appeal was filed on September 17, 2012;

(3) On November 28, 2012, the court granted attorney Tae W. Kim's motion for withdrawal as counsel and ordered Appellant to ensure that new counsel entered an appearance in this case within ten (10) days of the order. The court also extended the due date of the opening brief to December 28, 2012;

(4) Appellant did not file an opening brief;

(5) On January 16, 2013, the appellate clerk informed Appellant that the time for filing the opening brief had expired and, pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the court's attention on January 28, 2013, for such action as the court deems proper, which could include dismissal; and

(6) Thereafter, Appellant did not file an opening brief or respond to the notice of default. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, February 6, 2013.

Chief Judge

Associate Judge

Associate Judge