

NO. 30004

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

LAURA MONAHAN, Plaintiff-Appellee, v.
VIVIANA CLONINGER and BRUCE GLASPELL, Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3RC09-1-026H)

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 August 5, 2009, Defendants-Appellants Vivian Cloninger and Bruce Glaspell (Appellants) filed a notice of appeal; (2) on October 5, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellants that the jurisdictional statement was due on October 15, 2009 and the opening brief was due on November 14, 2009; (3) Appellants did not file the jurisdictional statement or the opening brief; (4) on December 28, 2009, the appellate clerk informed Appellants: (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) Appellants did not file the jurisdictional statement or the opening brief; and (6) Appellants did not seek relief from default. Therefore,

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

DATED: Honolulu, Hawai'i, February 24, 2010.

Chief Judge

Associate Judge

Associate Judge