

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 30050

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

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 Kelihoomalua, 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,

JEAN R. KIKUHOTO
CLERK OF THE COURT
STATE OF HAWAII

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FILED

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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