

NO. 29074

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

GENARO GUALDARAMA, Petitioner-Appellant,  
STATE OF HAWAII, Respondent-Appellee.

E.M. RUI-MANDO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2010 JAN 22 AM 10:23

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(SPP NO. 06-1-0045)

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

Upon review of the record, it appears that:

- (1) Petitioner-Appellant Genaro Gualdarama (Appellant) filed a notice of appeal on March 17, 2008;
- (2) on May 16, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on May 26, 2008, and the opening brief was due on June 25, 2008;
- (3) after the court granted Appellant two extensions of time, Appellant filed the jurisdictional statement on August 28, 2008;
- (4) the court granted Appellants numerous extensions of time to file the opening brief;
- (5) after the last extension, the brief became due October 15, 2009;
- (6) Appellant did not file the opening brief on the due date;
- (7) on October 23, 2009, the appellate clerk informed Appellant: (a) the time to file the opening brief expired on October 15, 2009; (b) the matter would be brought to the attention of the court on October 30, 2009 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedures (HRAP) Rule 30;
- (8) Appellant did not file the opening brief or seek relief from default. Therefore,

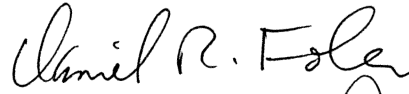
**NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER**

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

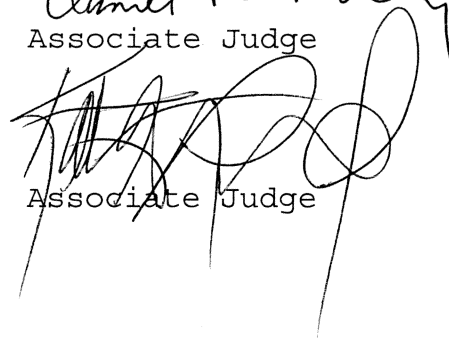
DATED: Honolulu, Hawai'i, January 22, 2010.



Chief Judge



Associate Judge



Associate Judge