

NO. 29378

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
PAULETTE PAONESSA, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 06-1-1589)

ORDER GRANTING PLAINTIFF-APPELLEE'S
MOTION TO STRIKE OPENING BRIEF AND DISMISS APPEAL
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of the Motion to Strike Opening Brief and Dismiss Appeal filed by Plaintiff-Appellee State of Hawai'i on June 29, 2011, the papers in support and opposition, and the records and files herein, it appears that: (1) the State of Hawai'i moves for an order striking the opening brief filed by Defendant-Appellant Paulette Paonessa (Paonessa), *pro se*, and dismissing her appeal; (2) this court granted Paonessa numerous extensions of time to file the opening brief; (3) in our final order granting a motion to extend time, we stated that we would dismiss Paonessa's appeal if she did not file an opening brief;

(4) the body of Paonessa's opening brief, in its entirety, states as follows:

OPENING BRIEF

Comes now Defendant-Appellant PAULETTE PAONESSA, pro se, and hereby submits her Opening Brief pursuant to Rule 28(b) of the Hawaii Rules of Appellate Procedure.

Appellant prays that this Honorable Court will vacate and dismiss the Judgment below, or remand this action for a new trial, before a different Judge of the First Circuit Court, in the interests of justice and fairness, for the reasons set forth herein.

(5) Paonessa fails to state points of error or argument supporting her appeal, as required by Hawai'i Rules of Appellate Procedure Rule 28(b), leaving us with nothing of substance to review.

Therefore, IT IS HEREBY ORDERED that the Motion to Strike Opening Brief and Dismiss Appeal is granted and this appeal is dismissed.

DATED: Honolulu, Hawai'i, July 29, 2011.

Chief Judge

Associate Judge

Associate Judge