

NO. CAAP-13-0003018

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
LLEWELLYN KANAKAMAIKAI WAILEHUA, JR., Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1DT1-13-082484)

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

Upon review of the record, it appears that:

(1) On August 23, 2013, Defendant-Appellant Llewellyn
K. Wailehua Jr. (Appellant), pro se, filed a notice of appeal;

(2) The record on appeal was filed October 4, 2013, and
the appellate clerk informed Appellant that, among other things,
the opening brief was due by November 13, 2013;

(3) On November 15, 2013, the court granted Appellant's motion for a first extension of time for the opening brief and extended the due date to November 20, 2013, as requested by Appellant;

(4) Appellant did not file the opening brief;

(5) On December 10, 2013, the appellate clerk informed Appellant that the time for filing the opening brief had expired and, pursuant to Hawai'i Rules of Appellate Procedure Rule 30, the matter would be called to the court's attention on December 20, 2013, for such action as the court deems proper, which could include dismissal; and

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

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, January 7, 2014.

Chief Judge

Associate Judge

Associate Judge