

NO. CAAP-13-0000214

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

ANIBAL ORTIZ, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(S.P.P. NO. 12-1-0068; CR. NO. 03-1-0036)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon review of the record, it appears that:

(1) On March 20 2013, a notice of appeal by Petitioner-Appellant Anibal Ortiz (**Appellant**) was filed;

(2) Appellant obtained two extensions to file the opening brief, and the opening brief was due on second extension on January 15, 2014;

(3) Appellant did not file the opening brief;

(4) On January 24, 2014, the appellate clerk informed Appellant that:

(a) The time for filing the opening brief expired;

(b) Pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court on February 3, 2014 for such action as the court deems proper; and

(c) The appeal may be dismissed; and

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

For these reasons, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 27, 2014.

Presiding Judge

Associate Judge

Associate Judge