

NO. CAAP-15-0000371

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

BEN L. BALDADO, Petitioner-Appellant, v.  
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(S.P.P. NO. 14-1-009K; CR. NO. 06-1-196K)

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

Upon review of the record, it appears that:

(1) On April 27, 2015, Petitioner-Appellant Ben L. Baldado (Appellant), pro se, conventionally filed a notice of appeal in the underlying circuit court case, S.P.P. No. 14-1-009K. The notice of appeal was electronically filed to create this appeal, CAAP-15-0000371, on April 28, 2015;

(2) On June 29, 2015, the circuit court clerk filed the record on appeal;

(3) On July 1, 2015, the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before July 9, 2015, and August 10, 2015, respectively;

(4) Appellant did not file either document, or request an extension of time;

(5) On August 17, 2015, the appellate clerk notified Appellant that the time for filing the statement of jurisdiction and 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 August 27, 2015, for such action as the court deems proper, which could include dismissal; and

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

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

DATED: Honolulu, Hawai'i, December 3, 2015.

Chief Judge

Associate Judge

Associate Judge