

NO. CAAP-14-0001165

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.  
HAROLD T. HODGES, JR., Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CASE NO. 2DCW-14-0000388)

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

Upon review of the record, it appears that

(1) On October 9, 2014, Defendant-Appellant Harold T. Hodges (Appellant), pro se, filed a notice of appeal;

(2) On December 5, 2014, the district court clerk filed the record on appeal, which reflected an incorrect address for Appellant;

(3) On February 9, 2015, the district court clerk filed an amended record on appeal with Appellant's correct address;

(4) On February 12, 2015, the court ordered the statement of jurisdiction to be filed on or before February 22, 2015, and the opening brief to be filed on or before March 24, 2015. The court further ordered the appellate clerk to mail a copy of the order to Appellant at the address listed in the amended record on appeal, filed February 9, 2015;

(5) The appellate clerk complied with the February 12, 2015 order, and no return mail as received;

(6) Appellant did not file the statement of jurisdiction or opening brief;

(7) On April 13, 2015, the appellate clerk informed 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 April 23, 2015, for such action as the court deems proper, which could include dismissal; and

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

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

DATED: Honolulu, Hawai'i, May 11, 2015.

Presiding Judge

Associate Judge

Associate Judge