

NO. CAAP-16-0000017

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CHRIS GRINDLING, Petitioner-Appellant, v.
STATE OF HAWAII, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(S.P.P. NO. 15-1-0010(2)) (CR. NO. 98-0325)

ORDER DISMISSING THE APPEAL PURSUANT
TO HRAP RULES 11(b)(2) AND (c)(2)
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon review of the record, it appears that:

(1) On January 11, 2016, Petitioner-Appellant Chris Grindling (Appellant), pro se, filed a notice of appeal;

(2) That same day, the circuit court clerk filed a notice of notice of payment of fees, indicating Appellant should pay the filing fees or request a fee waiver by January 22, 2016, or the appeal could be dismissed;

(3) On March 17, 2016, the appellate clerk notified Appellant that the time to docket the record on appeal expired on March 11, 2016, the filing and docketing fees had not been paid,

the record on appeal cannot be prepared without the fees or an order authorizing Appellant to proceed on appeal *in forma pauperis*, the matter would be called to the court's attention on March 28, 2016, for action that may include dismissal, and Appellant may file a motion requesting relief from default;

(4) Appellant did not pay the filing fees, or take any further action in this appeal; and

(5) An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed *in forma pauperis*. Hawai'i Rules of Appellate Procedure Rule 11(b)(2), (c)(2).

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

Dated: Honolulu, Hawai'i, April 7, 2016.

Chief Judge

Associate Judge

Associate Judge