

NO. CAAP-17-0000396

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
JEREMIAH KAULANA KALUAU, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3DTC-16-041701)

ORDER DISMISSING APPEAL

(By: Nakamura, Chief Judge, Fujise and Chan, JJ.)

Upon review of the record, it appears that:

(1) On May 1, 2017, Defendant-Appellant Jeremiah Kaulana Kaluau (Appellant), pro se, filed a notice of appeal. The district court clerk electronically filed the notice of appeal on May 9, 2017;

(2) On July 7, 2017, the district court clerk filed the record on appeal, and the appellate clerk issued notices to the parties that the statement of jurisdiction and opening brief were due on or before July 17, 2017, and August 16, 2017, respectively;

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

(4) On September 1, 2017, the appellate clerk issued a notice to Appellant, stating that the time for filing the statement of jurisdiction and opening brief had expired, the

matter would be called to the court's attention on September 11, 2017, for appropriate action, which could include dismissal of the appeal, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rules 12.1(e) and 30, and Appellant may request relief from default by motion; and

(5) The appellate clerk mailed the July 7, 2017 notice of entering case on calendar and the September 1, 2017 default notice to Appellant at the address indicated in the record on appeal. The United States Postal Service returned the notices as undeliverable. Appellant has not filed a notice of change of address, as required by HRAP Rule 25(f), and he took no further action in this appeal.

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

DATED: Honolulu, Hawai'i, October 6, 2017.

Chief Judge

Associate Judge

Associate Judge