

NO. CAAP-18-0000942

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

TIMOTHY ADARNA, Petitioner-Appellant,
v.
STATE OF HAWAII, Respondent-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPP NO. 18-1-0002, CASE NO. 1PC061002431, CR 06-1-2431)

ORDER DISMISSING APPEAL

(By: Leonard, Presiding Judge, Chan and Hiraoka, JJ.)

Upon review of the record, it appears that:

(1) On December 12, 2018, Petitioner-Appellant Timothy Adarna (Adarna), pro se, filed the notice of appeal;

(2) On February 6, 2019, the circuit court clerk filed the record on appeal, and the appellate clerk notified the parties that the statement of jurisdiction and the opening brief were due on or before February 19, 2019, and March 18, 2019, respectively;

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

(4) On April 26, 2019, the appellate clerk notified Adarna 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 May 6, 2019, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Adarna may request relief from default by motion; and

(5) Adarna took no further action in this appeal.

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

Dated: Honolulu, Hawai'i, May 15, 2019.

Presiding Judge

Associate Judge

Associate Judge