

NO. CAAP-19-0000368

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

MID PAC PETROLEUM, LLC., Plaintiff-Appellee, v.  
LANCE KAMUELA GOMES, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT  
(CASE NO. 5RC-19-1-000130)

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Fujise and Hiraoka, JJ.)

Upon review of the record, it appears that:

- (1) On April 30, 2019, Defendant-Appellant Lance Kamuela Gomes (**Appellant**) filed a notice of appeal;
- (2) On August 1, 2019, the record on appeal was filed, making the statement of jurisdiction due on August 12, 2019, and the opening brief due on September 10, 2019;
- (3) Appellant failed to file a statement of jurisdiction or opening brief, and on September 19, 2019, the appellate clerk informed Appellant that the aforementioned deadlines had expired and the matter would be called to the court's attention on September 30, 2019 for such action as the court deemed proper, which may include dismissal of the appeal. The appellate clerk also notified Appellant that he could move for relief from the defaults.

(4) 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.

IT IS HEREBY FURTHER ORDERED that all pending motions are dismissed as moot.

DATED: Honolulu, Hawai'i, October 10, 2019.

Chief Judge

Associate Judge

Associate Judge