

NOS. CAAP-19-0000373 AND CAAP-19-0000435

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

THE ESTATE OF WILLIAM PAUL APPLETON, Deceased

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(PROBATE NO. 17-1-0475)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On August 6, 2019, the appellate clerk extended the opening brief deadline to September 11, 2019;

(2) On August 20, 2019, the court granted Petitioner-Appellant James K. Appleton's (Appleton) counsel's motion to withdraw as counsel;

(3) Appleton, proceeding self-represented, failed to file the opening brief or request an extension of time;

(4) On September 17, 2019, the appellate clerk notified Appleton that the time for filing the opening brief had expired, the matter would be called to the court's attention on September 27, 2019, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate

Procedure Rule 30, and Appleton may request relief from default by motion; and

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

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

DATED: Honolulu, Hawai'i, February 27, 2020.

Chief Judge

Associate Judge

Associate Judge