

NO. CAAP-19-0000481

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

DARRYL THOMAS, Petitioner-Appellant, v.  
STATE OF HAWAII, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(S.P.P. NO. 17-1-0019 (CR. NO. 1PC141001031))

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On July 2, 2019, self-represented Petitioner-Appellant Darryl Thomas (Thomas) filed the notice of appeal;

(2) On August 29, 2019, the circuit court clerk filed the record on appeal, and the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before September 9, 2019, and October 8, 2019, respectively;

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

(4) On October 23, 2019, the appellate clerk notified Thomas 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 November 4, 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 Thomas may request relief from default by motion; and

(5) Thomas 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