

NO. CAAP-19-0000553

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

SEAN P. DEPAEPE, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(DC-SP. NO. 18-1-0004 (2DTC-17-004234))

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On August 5, 2019, self-represented Petitioner-Appellant Sean P. DePaepe filed the notice of appeal;

(2) On September 13, 2019, the district court clerk filed the record on appeal;

(3) On September 16, 2019, the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before September 23, 2019, and October 23, 2019, respectively;

(4) DePaepe did not file either document or request an extension of time;

(5) On November 4, 2019, the appellate clerk notified DePaepe 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 14, 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 DePaepe may request relief from default by motion; and

(6) DePaepe 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