

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000477

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

AUSTIN ROSA, Plaintiff-Appellant, v.
KAUA'I POLICE DEPARTMENT;
OFFICE OF THE PROSECUTING ATTORNEY, COUNTY OF KAUA'I,
Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5CCV-22-00023)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before October 11, 2022, and November 10, 2022, respectively;

(2) Self-represented Plaintiff-Appellant Austin Rosa (Rosa) failed to file either document, or request an extension of time;

(3) On November 29, 2022, the appellate clerk entered a default notice informing Rosa 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 December 9, 2022, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Rosa could request relief from default by motion; and

(4) Rosa has not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, May 19, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge