

**Electronically Filed
Intermediate Court of Appeals
CAAP-23-0000348
14-NOV-2023
08:39 AM
Dkt. 22 ODSD**

NO. CAAP-23-0000348

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

RONALD AWA, Plaintiff-Appellee, v.
AL JEREMIAH, aka ARTHUR JEREMIAH, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CIVIL NO. 1DRC-22-3952)

ORDER DISMISSING APPEAL

(By: Hiraoka, Presiding Judge, Wadsworth and Guidry, JJ.)

Upon review of the record, it appears that:

(1) The opening brief was due on or before August 16, 2023;

(2) Self-represented Defendant-Appellant Al Jeremiah aka Arthur Jeremiah (**Jeremiah**) failed to file the opening brief, or request an extension of time;

(3) On August 24, 2023, the appellate clerk entered a default notice informing Jeremiah that the time for filing the opening brief had expired, the matter would be called to the court's attention on September 5, 2023, for appropriate action, which could include dismissal of the appeal under Hawai'i Rules of Appellate Procedure Rule 30, and Jeremiah could request relief from default by motion;

(4) The default notice was mailed to Jeremiah at his address of record on August 29, 2023, and no return mail was received;¹ and

(5) Jeremiah has not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, November 14, 2023.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge

¹ The default notice was originally mailed to Jeremiah on August 24, 2023, but was returned as undeliverable due to an insufficient address. The default notice was re-sent to Jeremiah at his address of record on August 29, 2023.