

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-19-0000813

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
VERNON T. VIERRA, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CASE NO. 2PC151000078)

ORDER DISMISSING APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and Nakasone, JJ.)

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before December 30, 2019, and January 27, 2020, respectively;

(2) Defendant-Appellant Vernon T. Vierra (Vierra) failed to file either document, or request an extension of time;

(3) On July 24, 2024, the appellate clerk entered a default notice informing Vierra's counsel of record in this appeal, David Sumner Wiltsie, 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 August 5, 2024, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Vierra could request relief from default by motion; and

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

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

IT IS FURTHER ORDERED that the court will take no further action on the September 24, 2020 order to show cause.

DATED: Honolulu, Hawai'i, August 13, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Karen T. Nakasone
Associate Judge