

NO. 16251

IN THE SUPREME COURT OF THE STATE OF HAWAII

THE H E JOHNSON COMPANY, INC., Plaintiff-Appellee

vs.

HOU EI HAWAII, INC., Defendant-Appellant

and

JOHN DOES 1-50, et al., Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 91-2333)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that appellant's opening brief was due for filing within forty days after its bankruptcy proceeding was terminated in 1998. No opening brief was filed and appellant was ordered to show cause why the appeal should not be dismissed for lack of prosecution. Appellant's response to the order to show cause states that appellant "does not object or oppose the dismissal of this appeal." Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

HRAP 30.

DATED: Honolulu, Hawai'i, March 7, 2002.