

NO. 19607

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALOHA TOWER ASSOCIATES PIERS 7, 8, AND 9, LIMITED PARTNERSHIP,
Plaintiff-Appellee

vs.

FT/SJ HONOLULU, L.P. dba SLOPPY JOES, Defendant-Appellant
(CIV. NO. 1RC95-008589)

ALOHA TOWER ASSOCIATES PIERS 7, 8, AND 9, LIMITED PARTNERSHIP,
Plaintiff-Appellee

vs.

FT/SJ HONOLULU, L.P. dba FAT TUESDAY, Defendant-Appellant
(CIV. NO. 1RC95-008590)

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CIV. NOS. 1RC95-008589 and 1RC95-008590)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this appeal was stayed in bankruptcy and the bankruptcy stay was terminated in October 1999. Appellant failed to take action necessary to the filing of the record on appeal and was ordered, on May 13, 2002, to show cause by May 28, 2002 why the appeal should not be dismissed for lack of prosecution. The May 13, 2002 order warned that "failure to comply with this order or to show good cause may

result in dismissal of the appeal or other sanctions." Appellant has not responded to the May 13, 2002 order. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

DATED: Honolulu, Hawai'i, June 21, 2002.