

NO. 23116

IN THE SUPREME COURT OF THE STATE OF HAWAI`I

STATE OF HAWAI`I,) CITATION NO. 4421828MO
)
Plaintiff-Appellee,)
)
vs.)
)
ISAIAH IOANE KINI,)
)
Defendant-Appellant.)
_____)

ORDER DISMISSING APPEAL

Upon review of the record, it appears that (1) the supreme court clerk's office informed Appellant Isaiah Ioane Kini by letter dated April 7, 2000 that the record on appeal cannot be filed without payment of the filing fee pursuant to Rule 3(f) of the Hawai`i Rules of Appellate Procedure (HRAP) or an executed motion to proceed in forma pauperis pursuant to HRAP 24 and that the matter would be called to the attention of the court for such action as the court deemed proper pursuant to Rule 11(a); (2) the April 7, 2000 letter was returned with notation "inmate discharged;" (3) on April 17, 2000 the clerk's office wrote to appellant at his new address informing him that the record on appeal was in default for non-payment of the filing fee or an order allowing appellant to proceed informa pauperis and that the

appeal may be dismissed; and (4) appellant did not respond to the April 17, 2000 letter and it appears he has abandoned his appeal.

Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed.

DATED: Honolulu, Hawai`i, June 2, 2000.

RONALD T.Y. MOON, Chief Justice

STEVEN H. LEVINSON, Associate Justice

PAULA A. NAKAYAMA, Associate Justice

MARIO R. RAMIL, Associate Justice

SIMEON R. ACOBA, JR., Associate Justice