

NO. 23538

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee

vs.

SEAN C. KOBAYASHI, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(REPORT NOS. F-67484/HL; F-69662/HL)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on July 13, 2001, this court ordered that the opening brief in the above-entitled matter be filed by July 23, 2001, and that failure to comply with the order would result in further sanctions, including dismissal; and (2) Appellant has failed to file the opening brief; therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawaii, October 10, 2001.