

NO. 23946

IN THE SUPREME COURT OF THE STATE OF HAWAII

NAURU PHOSPHATE ROYALTIES, INC., Plaintiff-Appellant

vs.

HDS RACING INC., ROBERT CHOI and CHI SOO CHOI,
aka CHOI, CHI SOO, Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CIV. NO. 1RC99-8970)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellants HDS Racing, Inc., Robert Choi, and Chi Soo Choi by letter dated February 23, 2001 that the time for filing the opening brief expired on February 4, 2001 and that, pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal; and appellants having failed to respond to said letter or to otherwise oppose dismissal; therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 28, 2001.