

NO. 24388

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

ABEL S. LUI, Defendant-Appellant

APPEAL FROM THE THIRD CIRCUIT COURT
(CR. NO. 00-1-297)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that (1) the Supreme Court Clerk's office, by letter dated October 30, 2001, informed Appellant Abel S. Lui that the time for filing the statement of jurisdiction expired on September 14, 2001 and the time for filing the opening brief expired on October 14, 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 deems proper; (2) on January 16, 2002, Appellant was ordered to file the statement of jurisdiction and opening brief or file an appropriate dismissal of the appeal by February 15, 2002; (3) Appellant did not file the statement of jurisdiction and opening brief or a dismissal by February 15, 2002; (4) on March 1, 2002, Appellant was further ordered to file the statement of jurisdiction and opening brief by March 11, 2002 and was informed that failure to do so would result in sanctions, including dismissal; (5) Appellant has

failed to comply with this court's orders or to otherwise oppose dismissal, therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 10, 2002.