

NO. 25137

IN THE SUPREME COURT OF THE STATE OF HAWAII

WILLIAM E. HESSE, JR., Plaintiff-Appellant

vs.

SUTADA HESSE, Defendant-Appellee

APPEAL FROM THE FIFTH CIRCUIT COURT
(FC-D NO. 00-01-0139)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellant by letter dated September 13, 2002, that the time for filing the opening brief expired on September 7, 2002, 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. Appellant having failed to respond to said letter or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, October 11, 2002.