

*** NOT FOR PUBLICATION ***

NO. 25808

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GARY ALEXANDER LOVE, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 03-1-0014)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellant that the time for filing the opening brief expired on October 16, 2003 and ordered Appellant to either file the opening brief or file an appropriate dismissal of the appeal within 30 days from the date of the order. Appellant having failed to file the opening brief or a dismissal of the appeal, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, February 18, 2004.