

*** NOT FOR PUBLICATION ***

NO. 25915

IN THE SUPREME COURT OF THE STATE OF HAWAII

MAKILA LAND CO., LCC., Plaintiff/Counterclaim Defendant-Appellee

vs.

KANALOA KANAINA KEKINO KOKO, Defendant-Appellant

and

YOLANDA DIZON, JOHN AQUINO, TIARA AQUINO,
Defendants/Counterclaimants,
HEIRS OR ASSIGNS OF H.W. HAKUOLE; MYRTLE WILCOX SCHUMANN, AND
LECAMIEANN E. SNIFFLER, MARY SALLY M. SENEN, OWANA SALAZAR,
MARGARET D. AMADEO, LEI LANI LEWIS, KALANI KAPU, GWENDOLYN H.O.
WAIKIKI, PHILIP HATORI AND ALL WHOM IT MAY CONCERN, Defendants

APPEAL FROM THE SECOND CIRCUIT COURT
(CIV. NO. 02-1-0146)

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 by letters dated October 17, 2003 and November 10, 2003, that the time for filing the statement of jurisdiction expired on October 2, 2003 and the time for filing the opening brief expired on November 1, 2003 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

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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, January 20, 2004.