

*** NOT FOR PUBLICATION ***

NO. 26278

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

KYM P. BOHOL, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD TRAFFIC NO. 5537219MO)

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 letter dated April 7, 2004 that the time for filing the opening brief expired on March 20, 2004 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, July 7, 2004.