

*** NOT FOR PUBLICATION ***

NO. 26618

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JEREMY SALVADOR, Petitioner-Appellant,

vs.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 04-1-0025)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court ordered Appellant to either file the opening brief or an appropriate dismissal of the appeal by November 28, 2004.

Appellant has failed to file the opening brief. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, December 20, 2004.