

NO. 27978

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

TERRY VANLANDINGHAM, Petitioner-Appellant,
v.
STATE OF HAWAI'I, Respondent-Appellee

KHAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2007 AUG 15 AM 9:14

FILED

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(S.P.P. 05-1-0023; FC-CR NO. 04-1-0172)

ORDER DISMISSING APPEAL

(By: Recktenwald, C.J., Watanabe and Nakamura, JJ.)

Upon review of the record, it appears that: (1) Petitioner-Appellant Terry Vanlandingham filed a notice of appeal on June 13, 2006; (2) on August 14, 2006, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the jurisdictional statement was due on August 24, 2006 and the opening brief was due on September 23, 2006; (3) Appellant filed the statement of jurisdiction on August 30, 2006; (4) although the court granted several extensions of time, Appellant did not file the opening brief; (5) on July 20, 2007, the appellate clerk informed Appellant that the time to file the opening brief expired on July 8, 2007 and that the matter would be brought to the attention of the court on July 27, 2007 for such action as the court deems proper and the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (6) Appellant did not file the opening brief or seek relief from default. Therefore,

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the appeal is dismissed
pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, August 15, 2007.

M. E. Sumida

Chief Judge

Corinne K. A. Watanabe

Associate Judge

C. W. Nakamura

Associate Judge