

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28263

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

GRACE POST, Plaintiff-Appellee,
v.
CRAIG L. CONKLIN, Defendant-Appellant

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2007 AUG 15 AM 10:10

FILED

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
KONA DIVISION
(CIVIL NO. 3RC06-1-0242K)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on October 24, 2006, Defendant-Appellant Craig L. Conklin filed a notice of appeal; (2) on March 12, 2007, the appellate clerk filed a notice of entering case on calendar and notified the Appellant that the statement of jurisdiction was due on March 22, 2007 and the opening brief was due on April 21, 2007; (3) Appellant did not file the statement of jurisdiction or opening brief; (4) on June 22, 2007, the appellate clerk informed Appellant that the time for filing the statement of jurisdiction and the opening brief expired, and that the matter would be called to the attention of the court on June 29, 2007 for such action as the court deemed proper and the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; and (5) Appellant did not file the statement of jurisdiction and the opening brief or seek relief from default. Therefore,

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

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

Mr. E. Remmel

Chief Judge

Corinne K. A. Watanabe

Associate Judge

Craig H. Nakanishi

Associate Judge