

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28348

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

WAYNE LAEDA, Petitioner-Appellant,
v.
STATE OF HAWAI'I, Respondent-Appellee

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

2007 MAY 30 PM 1:06

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(S.P.P. NO. 06-1-0006; CRIMINAL NO. 03-1-0382)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on December 29, 2006, Petitioner-Appellant Wayne Laeda filed a notice of appeal, but he did not pay the required filing fee and the circuit court denied his request to proceed without payment of the filing fee; (2) in a letter dated March 16, 2007, the appellate clerk informed Appellant the record on appeal cannot be filed without payment of the filing fee or an executed motion to proceed in forma pauperis pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 24 and that the matter would be called to the attention of the court on March 23, 2007 for such action as the court deemed proper, including dismissal of the appeal; (3) Appellant failed to pay the filing fee or submit a motion to proceed in forma pauperis. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 24(d).

DATED: Honolulu, Hawai'i, May 30, 2007.

Mar E. Recktenwald

Chief Judge

Corinne K. Watanabe

Associate Judge

David R. Foley

Associate Judge