

NO. 28398

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
JOHN E. DOW, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
KONA DIVISION
(CASE NO. 3DTA-06-03478)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on January 26, 2007, Defendant-Appellant John E. Dow filed a notice of appeal; (2) on February 8, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the statement of jurisdiction was due on February 18, 2007 and the opening brief was due on March 20, 2007; (3) Appellant did not file the statement of jurisdiction or opening brief; (4) on June 18, 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 25, 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,

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

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

Cornie KA Watanabe

Associate Judge

Cris H. Nakamura

Associate Judge