

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28418

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

BRIAN RHODES, Plaintiff-Appellant, v.  
CHRISTINA D. RHODES, Defendant-Appellee

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

2007 AUG 16 AM 11:23

FILED

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT  
(FC-UCCJEA No. 06-1-0010)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) Plaintiff-Appellant Brian Rhodes (Appellant) filed a notice of appeal in the Family Court of the First Circuit on February 27, 2007; (2) Appellant did not pay the required filing fees; (3) on July 2, 2007, the appellate clerk informed Appellant that (a) the record on appeal could not be filed without payment of the filing fee pursuant to Rule 3(f) of the Hawai'i Rules of Appellate Procedure (HRAP) or an executed motion to proceed in forma pauperis pursuant to HRAP Rule 24, and (b) the matter would be called to the attention of the court on July 9, 2007 for such action as the court deemed proper, which may include dismissal of the appeal; and (4) 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 Rules 3(a), 11(c)(2), and 24(d).

DATED: Honolulu, Hawai'i, August 16, 2007.

*M. E. Recktenwald*

Chief Judge

*Courne KA Watanabe*

Associate Judge

*C. J. Nakamura*

Associate Judge