

FILED

2007 OCT 24 AM 11:28

EMERSON
CLERK APPELLATE COURTS
STATE OF HAWAII

NO. 28465

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BEVERLY HARBIN, individually and on behalf of the
residents of District 28, SHERIDAN, KEEAUMOKU,
KAKAAKO, DOWNTOWN/CHINATOWN, IWILWI, KALIHI/PALAMA,

Plaintiff-Appellant,

v.

LIQUOR COMMISSION, CITY & COUNTY OF HONOLULU, and
ALFUJI, INC. dba Club Business, DOES 1-10,

Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIV. NO. 06-1-1557)

ORDER DISMISSING APPEAL

(By: Watanabe, Presiding Judge, Nakamura and Fujise, JJ.)

Upon review of the record, it appears that: (1) on March 27, 2007, Plaintiff-Appellant Beverly Harbin filed a notice of appeal; (2) on August 13, 2007, the court granted Appellant an extension of time until August 22, 2007 to file the opening brief; (3) Appellant did not file the opening brief; (4) on September 11, 2007, the appellate court informed Appellant that the time to file the opening brief expired and that the matter would be called to the attention of the court on September 18, 2007 for such action as the court deemed proper and the appeal may be dismissed pursuant to HRAP Rule 30; and (5) Appellant did not file the opening brief or seek relief from default.

Therefore,

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

DATED: Honolulu, Hawai'i, October 24, 2007.

Corinne K. Watanabe

Presiding Judge

Craig H. Nakamura

Associate Judge

Augustine D. Jijina

Associate Judge