

NO. 28476

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
SHANE MIKIALA SOARES, Defendant-Appellant

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

2007 AUG 15 AM 9:13

FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1DTI-06-109297)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) Defendant-Appellant Shane Mikiala Soares filed a notice of appeal on March 19, 2007; (2) on May 18, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the jurisdictional statement was due on May 28, 2007 and the opening brief was due on June 27, 2007; (3) Appellant did not file the statement of jurisdiction or the opening brief; (4) on July 6, 2007, the appellate clerk informed Appellant that the time to file the statement of jurisdiction and the opening brief expired and that the matter would be brought to the attention of the court on July 20, 2007 for such action as the court deems proper and the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (6) Appellant did not file the statement of jurisdiction and opening brief or seek relief from default. Therefore,

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

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

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

M. E. Neelander

Chief Judge

Cournie KA Watanelie

Associate Judge

Cy W. Nakamura

Associate Judge