

NO. 28510

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

OVERSEAS LION COMPANY, LTD., Plaintiff-Appellee

v.

ASSOCIATION OF APARTMENT OWNERS OF
PALI KE KUA, INC., THE BOARD OF DIRECTORS OF
ASSOCIATION OF APARTMENT OWNERS OF PALI KE KUA, INC.,
C. WALLACE GREEN, HARRY HOUGHTON, TED CASHEL, CHARLOTTE LITTLE,
ANNIE MILLER, and STEPHEN L. THIGPEN, Defendants-Appellants.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIV. NO. 00-1-0089)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on April 12, 2007, Defendants-Appellants Association of Apartment Owners of Pali Ke Kua, Inc, C. Wallace Green, Harry Houghton, Ted Cashel, Charlotte Little, Anne Miller, and Stephen L. Thigpen filed a notice of appeal; (2) on August 9, 2007, the appellate clerk filed the record on appeal and notified Appellants the statement of jurisdiction was due on August 19, 2007 and the opening brief was due on September 18, 2007; (3) Appellants filed the statement of jurisdiction, but they did not file the opening brief; (4) on October 26, 2007, the appellate clerk informed Appellants: (a) the time to file the opening brief expired, (b) the matter would be called to the attention of the court for such

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action as the court deems proper, and (c) the appeal may be dismissed pursuant to HRAP Rule 30; (5) Appellants did not seek relief from this default or file the opening brief. Therefore,

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

DATED: Honolulu, Hawai'i, November 21, 2007.



Chief Judge



Associate Judge



Associate Judge