

NO. 28548

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
DAVID NAWROCKI, Defendant-Appellant.

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

2007 OCT 24 AM 10:24

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(5DTI-07-000241)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that: (1) on May 15, 2007, Defendant-Appellant David Nawrocki filed a notice of appeal; (2) on July 12, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant the statement of jurisdiction was due on July 22, 2007 and the opening brief was due on August 21, 2007; (3) Appellant did not file the statement of jurisdiction or the opening brief; (4) on September 11, 2007, the appellate clerk informed Appellant: (a) the time for filing the opening brief expired; (b) the matter would be called to the attention of the court on September 18, 2007 for such action as the court deemed proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; (5) Appellant did not file the statement of jurisdiction and 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.

Mon Reddy
Chief Judge

Courine K. Watanabe
Associate Judge

Craig W. Nakamura
Associate Judge