

NO. 28632

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

JOSEPH KEOUA SOUZA, on behalf of Minor Children,
Petitioner-Appellee,

v.

MARY GAIL FAISCA, Respondent-Appellant.

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(FCDA NO: 07-1-0119K)

ORDER DISMISSING APPEAL

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

Upon review of the record it appears that:

(1) Respondent-Appellant Joseph Keoua Souza (Appellant) filed the notice of appeal on June 29, 2007; (2) on August 28, 2007, the appellate clerk notified Appellant that the jurisdictional statement was due on September 7, 2007 and the opening brief was due on October 7, 2007; (3) Appellant obtained a clerk's extension to file the opening brief, and the opening brief became due on November 7, 2007; (4) Appellant did not file the jurisdictional statement or the opening brief by November 7, 2007; (5) on November 21, 2007, the appellate clerk informed Appellant that: (a) the time for filing the statement of jurisdiction expired on September 7, 2007 and the time for filing the opening brief expired on November 7, 2007; (b) the matter would be called to the attention of the court on November 28, 2007 for such action as the court deems proper; and (c) the

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appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; and (6) Appellant did not file thereafter the statement of jurisdiction or the opening brief. Therefore,

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

DATED: Honolulu, Hawai'i, December 27, 2007.

Mark Neumann

Chief Judge

Brunnie K.A. Watanabe

Associate Judge

Craig H. Nekamae

Associate Judge