

NO. 28612

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

JOHN JENKINS,
Petitioner-Appellant,

v.

STATE OF HAWAI'I,
Respondent-Appellee.

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2008 JAN 25 AM 10:13

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPP 06-1-0053; CR NO. 01-1-891)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) Petitioner-Appellant John Jenkins (Appellant) filed a notice of appeal on June 25, 2007; (2) on August 24, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the jurisdictional statement was due on September 3, 2007 and the opening brief was due on October 3, 2007; (3) Appellant did not file the jurisdictional statement or the opening brief; (4) on October 16, 2007, the appellate clerk informed Appellant that: (a) the time to file the statement of jurisdiction and the opening brief expired; (b) the matter would be brought to the attention of the court on October 23, 2007 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (5) Appellant did not

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file the statement of jurisdiction and 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, January 25, 2008.

Manu Mami

Chief Judge

Corinne Ka Watanabe

Associate Judge

Elizabeth Nakamura

Associate Judge