

NO. 29081

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ALFRED SPINNEY, LORRAINE KAMOKU,
fiduciary agents for and on behalf of;
SOLOMON KAMOKU, BETTY JEAN KAMOKU,
a common law copyright trade,
Plaintiffs-Appellants,

KHAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 SEP 10 PM 1:02

FILED

v.

STATE OF HAWAII, DEPARTMENT OF HAWAIIAN
HOMELANDS COMMISSION, a de facto administration
and foreign entity, et al.,
Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 07-1-080K)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon review of the record, it appears that:

(1) Plaintiff-Appellant Solomon Kamoku (Appellant) filed a notice of appeal on March 31, 2008; (2) on May 30, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on June 9, 2008 and the opening brief was due on July 9, 2008; (3) Appellant did not file the opening brief; (4) on July 22, 2008, the appellate clerk informed Appellant that: (a) the time for filing the opening brief expired; (b) the matter would be brought to the attention of the court on July 29, 2008 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; (5) Appellant did not file the opening brief or seek relief from default. Therefore,

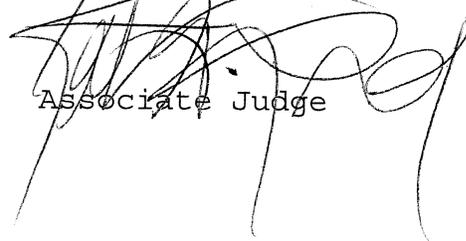
NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

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

DATED: Honolulu, Hawai'i, September 10, 2008.


Daniel R. Foley
Presiding Judge


Associate Judge


Associate Judge