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E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII
FILED

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

DONDI KAIU, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(S.P.P. NO. 08-1-0002; CR. NO. 94-1107)

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

Upon review of the record, it appears that: (1) Petitioner-Appellant Dondi Kaiu (Appellant) filed a notice of appeal on May 13, 2008; (2) on July 14, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on July 24, 2008 and the opening brief was due on August 23, 2008; (3) Appellant filed the jurisdictional statement on July 24, 2008; (4) on August 21, 2008, Appellant obtained an extension of time to file the opening brief, and the opening brief became due on September 24, 2008; (5) Appellant did not file the opening brief; (6) on October 10, 2008, the appellate clerk informed Appellant: (a) the time to file the opening brief expired; (b) the matter would be brought to the attention of the court on October 17, 2008 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (7) Appellant did not file the opening brief. Therefore,

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

DATED: Honolulu, Hawai'i, November 12, 2008.

Corinne K.A. Watanabe
Presiding Judge

Daniel R. Foley
Associate Judge

Associate Judge