

NO. 29201

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

ROXANNE RIVERO, Claimant-Appellee, v.
RICHARD SCHIAVI, Respondent-Appellant


APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(S.P. NO. 07-1-0080)

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

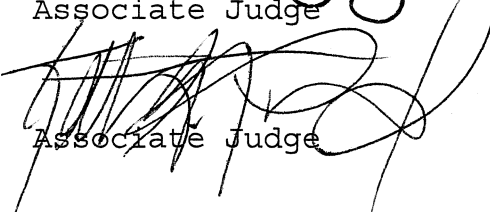
Upon review of the record, it appears that: (1) on June 12, 2008 Respondent-Appellant Richard Schiavi (Appellant) filed a notice of appeal; (2) on August 11, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on August 21, 2008 and the opening brief was due on September 20, 2008; (3) Appellant obtained an extension of time until October 22, 2008 to file the opening brief; (4) Appellant filed the jurisdictional statement on August 20, 2008; (5) Appellant did not file the opening brief; (6) on November 14, 2008, the appellate clerk informed Appellant that: (a) the time for filing the opening brief expired; (b) the matter would be called to the attention of the court on November 21, 2008 for such action as the court deemed proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (7) Appellant did not file 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, Hawaii, December 3, 2008.


Presiding Judge


Associate Judge


Associate Judge

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

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FILED