

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 29219

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

LANI STARK, Plaintiff-Appellant,

v.

MAKESHTA PEROS, dba MAKESHTA TEMPLE GARDENERS,
Defendant-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIV. NO. 06-1-0429)

K. HAMAKAHO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 NOV 12 AM 7:51

FILED

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 Lani Stark (Appellant) filed a notice of appeal on June 27, 2008; (2) on August 26, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on September 5, 2008 and the opening brief was due on October 5, 2008;
- (3) Appellant did not file the jurisdictional statement or opening brief; (4) on October 16, 2008, the appellate clerk informed Appellant: (a) the time to file the jurisdictional statement and opening brief expired; (b) the matter would be brought to the attention of the court on October 23, 2008 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 file the jurisdictional statement and the opening brief.¹

Therefore,

¹ We note that, on October 2, 2008, Appellant filed pro se a motion to dismiss this appeal, which was denied without prejudice because it was not served on Defendants-Appellees.

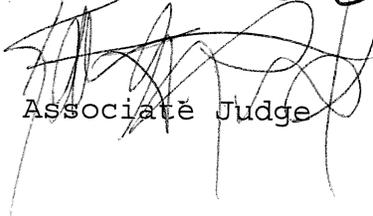
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IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rule 30.

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


Presiding Judge


Associate Judge


Associate Judge