

**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**

NO. 29249

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

PAUL GRUBB, Petitioner-Appellant, v.  
STATE OF HAWAI'I, Respondent-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(SPP NO. 08-1-0002; CR. NO. 86-0216)

NORMA TYARA  
CLERK, APPELLATE COURTS  
STATE OF HAWAI'I

2008 NOV 26 AM 8:16

FILED

ORDER DISMISSING APPEAL  
PURSUANT TO HRAP RULE 30

(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

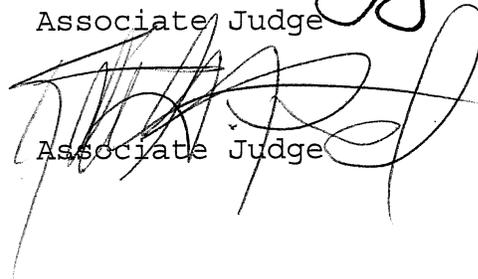
Upon review of the record, it appears that: (1) on July 7, 2008, Petitioner-Appellant Paul Grubb (Appellant) filed a notice of appeal; (2) on September 5, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on September 15, 2008 and the opening brief was due on October 15, 2008; (3) Appellant did not file the statement of jurisdiction or the opening brief; (4) on October 31, 2008, the appellate clerk informed Appellant that: (a) the time for filing the statement of jurisdiction and the opening brief expired; (b) the matter would be called to the attention of the court on November 7, 2008 for such action as the court deemed proper; and (c) the appeal may be dismissed pursuant to HRAP Rule 30; and (5) Appellant did not file the statement of jurisdiction or the opening brief or otherwise seek relief from default. Therefore,

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

DATED: Honolulu, Hawai'i, November 26, 2008.

  
Presiding Judge

  
Associate Judge

  
Associate Judge