

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 29343

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

DAVID V. WILLIAMS, JR., Petitioner/Petitioner-Appellant, v.
STATE OF HAWAII, Respondent/Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(SPP NOS. 07-1-0006; 07-1-0007)

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

Upon review of the record, it appears that:

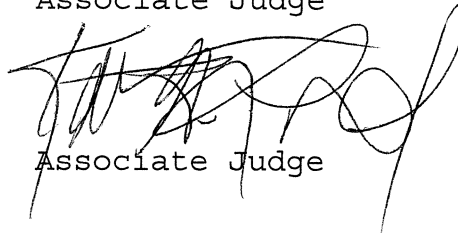
(1) Petitioner-Appellant David V. Williams, Jr., filed a notice of appeal on September 2, 2008; (2) on November 3, 2008, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on November 13, 2008, and the opening brief was due on December 13, 2008; (3) Appellant filed the statement of jurisdiction, but he did not file the opening brief; (4) on February 3, 2009, 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 February 10, 2009 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 respond to the default letter or file the opening brief.

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

DATED: Honolulu, Hawai'i, April 24, 2009.


Presiding Judge


Associate Judge


Associate Judge

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NORMAN YARA
CLERK, APPELLATE COURT
STATE OF HAWAII

FILED