

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 29583

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
CHAD GUEVARRA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CASE NO. 3P108-00549)

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 JUN 17 AM 9:23

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) Defendant Chad Guevarra (Appellant) filed a notice of appeal on January 12, 2009;
 - (2) on March 13, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on March 23, 2009 and the opening brief was due on April 22, 2009;
 - (3) Appellant did not file the statement of jurisdiction or the opening brief;
 - (4) on May 8, 2009, the appellate clerk informed Appellant that:
 - (a) the time to file the statement of jurisdiction and the opening brief expired;
 - (b) the matter would be brought to the attention of the court on May 15, 2009 for such action as the court deems proper; and
 - (c) the appeal may be dismissed pursuant to HRAP Rule 30;
 - (5) Appellant did not file the statement of jurisdiction and 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, June 17, 2009.

Daniel R. Foley
Presiding Judge

Aman Olu Fujise
Associate Judge

[Signature]
Associate Judge