

NO. 29608

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

JESSE TROY IOLANIAUHANA AKINA, Petitioner-Appellee, v
STATE OF HAWAI'I, Respondent-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(S.P.P. NO. 08-1-0007K; CR. NO. 00-1-25K)

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

Upon review of the record, it appears that:

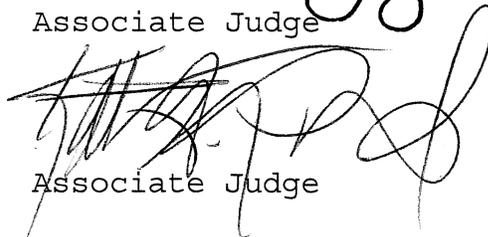
(1) Petitioner-Appellant Jesse-Troy Iolani Auhana Akina (Appellant) filed a notice of appeal on January 29, 2009; (2) on March 30, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on April 9, 2009 and the opening brief was due on May 9, 2009; (3) Appellant did not file the statement of jurisdiction or the opening brief; (4) on May 22, 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 29, 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, Hawai'i, June 17, 2009.


Presiding Judge


Associate Judge


Associate Judge

FILED
2009 JUN 17 AM 9:58
CLERK, APPELLATE COURT
STATE OF HAWAII
E.M. RYAN, D.D.