

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 29780

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

DOUGLAS C. SCHOON, Petitioner-Appellant,  
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(S.P.P. NO. 08-1-0054; CR NO. 88-0811)

KHAMAKAOD  
CLERK APPELLATE COURTS  
STATE OF HAWAI'I

2009 SEP 11 AM 7:49

FILED

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30  
(By: Watanabe, Acting C.J., Nakamura and Fujise, JJ.)

Upon review of the record, it appears that:

- (1) Petitioner-Appellant Douglas C. Schoon (Appellant) filed a notice of appeal on April 17, 2009;
- (2) on June 16, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on June 26, 2009 and the opening brief was due on July 26, 2009;
- (3) Appellant did not file the statement of jurisdiction or the opening brief;
- (4) on July 31, 2009, the appellate clerk informed Appellant that: (a) the time to file the statement of jurisdiction and the opening brief had expired; (b) the matter would be brought to the attention of the court on August 7, 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 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, September 11, 2009.

*Corinne K. Watanabe*  
Acting Chief Judge

*Craig W. Nakamura*  
Associate Judge

*Awsa D. Inoué*  
Associate Judge