

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 26875

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MATTHEW W. ROGER, Plaintiff-Appellee

vs.

LILIAN ROGER, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT  
(FC-D NO. 03-1-3560)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that this court informed Appellant by letter dated February 28, 2005 that the time for filing the opening brief expired on January 15, 2005 and that, pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to respond to said letter or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, April 12, 2005.

2005 APR 12 11:10:45

FILED