

*** NOT FOR PUBLICATION ***

NO. 27130

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

RODNEY WESLEY BOTELHO, Plaintiff-Appellee,

vs.

JUDY ANN HARTEY, Defendant-Appellant.

EUGENE L. BABADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 AUG -4 PM 12: 57

FILED

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 01-1-2614)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that this court informed Appellant by letter dated June 9, 2005 that the time for filing the opening brief expired on May 28, 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,

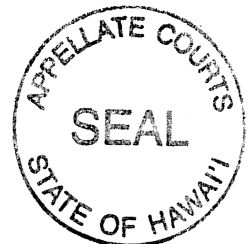
IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, August 4, 2005.

FOR THE COURT:

Auna C. Nakayama

Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.