

*** NOT FOR PUBLICATION ***

NO. 26884

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee

vs.

KENNETH F. FRAZIER, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD TRAFFIC NOS. 03250175; 03250113)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

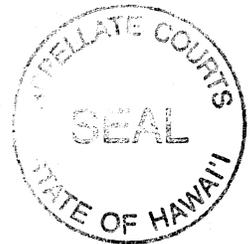
Upon review of the record, it appears that this court informed Appellant by letter dated December 9, 2005 that the time for filing the opening brief expired on November 14, 2005 and that, pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the 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, January 19, 2006.

FOR THE COURT:

Aruna C. Nakayama
Associate Justice



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