

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 27625

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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EMANUEL GADIEL, Plaintiff-Appellee

vs.

SCOTT ARGUS, Defendant-Appellant

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APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
(CIV. CASE NO. 1SS05-1-767)

ORDER DISMISSING APPEAL  
(By: Nakayama, J., for the court<sup>1</sup>)

Upon review of the record, it appears that this court informed Appellant by letter dated March 10, 2006 that the time for filing the statement of jurisdiction expired on January 30, 2006 and the time for filling the opening brief expired on March 1, 2006, and that, pursuant to Rule 30 of the Hawaii 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 file the statement of jurisdiction and the opening brief,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 25, 2006.

FOR THE COURT:

Associate Justice

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<sup>1</sup>Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.