

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 28194

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
FRANCIS ANTHONY GRANDINETTI, aka
ALBERT FERNANDEZ, aka FRANK MYERS,
aka FRANK IRANDINE, Defendant-Appellant

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 MAY 30 PM 12:55

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CRIMINAL NO. 93-0141)

ORDER DISMISSING APPEAL

(By: Recktenwald, C.J., Watanabe and Foley, JJ.)

Upon review of the record, it appears that: (1)

Defendant-Appellant Francis Grandinetti filed notices of appeal on October 4 and 5, 2006; (2) on December 14, 2006, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the jurisdictional statement was due on December 14, 2006 and the opening brief was due on January 13, 2007; (3) Appellant did not file the statement of jurisdiction or opening brief; (4) on January 26, 2007, the appellate clerk informed Appellant that the time for filing the statement of jurisdiction and opening brief expired and that the matter would be brought to the attention of the court on February 2, 2007 for such action as the court deems proper and the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (5) Appellant did not file the statement of jurisdiction and the opening brief, or otherwise respond to the notice of default. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed
pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, May 30, 2007.

M. E. Mathew

Chief Judge

Brunie K. A. Watanabe

Associate Judge

Clare R. Foley

Associate Judge