

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28417

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

PUBLIC UTILITIES COMMISSION, Plaintiff-Appellee v.
GOMES SCHOOL BUS SERVICE, LTD., Respondent-AppellantAPPEAL FROM THE PUBLIC UTILITIES COMMISSION
(Citation Nos. 0571 and 0782)ORDER GRANTING MOTION TO DISMISS

(By: Watanabe, Presiding J., Nakamura, and Fujise, JJ.)

Upon consideration of Plaintiff-Appellee State of Hawai'i, Public Utilities Commission's motion to dismiss the appeal of Respondent-Appellant Gomes School Bus Service, Ltd. (Appellant), the papers in support, and the records and files herein, it appears that: (1) on June 15, 2007, this court issued an order directing Appellant to retain counsel and file an opening brief or obtain an extension of time to file the opening brief by August 15, 2007; (2) the June 15, 2007 order provided specifically:

The appeal will be dismissed if Appellant [Gomes School Bus Service, Ltd.] fails to retain appellate counsel to file the opening brief or obtain an extension of time to file the opening brief within the time provided by this order.

(3) Appellant did not comply with the June 15, 2007 order; and
(4) Appellant filed no opposition to this motion to dismiss appeal. Therefore.

IT IS HEREBY ORDERED that the motion to dismiss is granted, and this appeal is dismissed.

DATED: Honolulu, Hawai'i, September 19, 2007.

Stacey Kawasaki Djou and
Jodi K. Yi on the motion
for plaintiff-appellee
State of Hawai'i, Public
Utilities Commission.

Cornelia K. Watanabe
Presiding Judge

Craig H. Nakamura
Associate Judge

Quana M. Fujise
Associate Judge

KHAMAKAUA
CLERK, APPELLATE COURT
STATE OF HAWAII

2007 SEP 19 AM 9:07

FILED