

NO. 28637

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

EMERSON  
CLERK, APPELLATE COURTS  
STATE OF HAWAI'I

2007 NOV 13 AM 8:18

FILED

CITIZENS FOR JUSTICE CENTER;  
Paul Joel Mattes; Lili Mattes; Abraham Luke Mattes;  
Priscilla Rose Mattes; Rep. For the Tenant(s) of  
Kuhio Park Terrace, Plaintiffs-Appellants,

v.

HAWAI'I PUBLIC HOUSING AUTHORITY; CITY AND COUNTY,  
HONOLULU POLICE DEPARTMENT; STATE OF HAWAI'I,  
THE SHERIFF(S) DEPARTMENT; EMPLOYEE'S OF THE  
ATTORNEY GENERAL'S OFFICE, Defendants-Appellees,  
and

CITY AND COUNTY, HONOLULU POLICE DEPARTMENT;  
EMPLOYEES OF THE PROSECUTOR; URBAN REALTY COMPANY  
and HUD PROGRAM, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CV. NO. 07-1-0570-03 EEH)

ORDER DISMISSING APPEAL

(By: Foley, Presiding Judge, Nakamura, and Fujise, JJ.)

Upon consideration of Defendants-Appellees' motion to dismiss Plaintiffs-Appellants' appeal for failure to file a statement of jurisdiction and opening brief, the papers in support, and the records and files herein, it appears that: (1) the appellate clerk informed Plaintiffs-Appellants of the due date of the statement of jurisdiction and the opening brief; (2) Appellants did not file the required documents; (3) on October 17, 2007, Appellees filed the instant motion to dismiss; (4) on October 19, 2007, the appellate clerk informed Appellant Paul Mattes that the statement of jurisdiction and the opening brief were in default and that the matter would be called to the attention of the court, and the appeal may be dismissed; and (5) Appellants did not respond to the motion to dismiss and they did not file the statement of jurisdiction and the opening brief. Therefore,

IT IS HEREBY ORDERED that Defendants-Appellees' motion to dismiss Plaintiffs-Appellants' appeal is granted, and this appeal is dismissed pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, November 13, 2007.

On the motion:

John C. Wong  
Diane K. Taira  
Deputy Attorneys General  
for Defendant-Appellees

  
Presiding Judge

  
Associate Judge

  
Associate Judge