

NO. 18643

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

MICHAEL S. SPALDING and GULSONS, a Hawai'i partnership,
Plaintiffs-Appellees

vs.

BURTON D. GOULD, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CIV. NO. 94-0542)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the papers filed by appellees' counsel on June 3, 2002 and the record, it appears that appellant appeals the circuit court's November 23, 1994 judgment awarding damages against appellant in Civil No. 94-0542, but the judgment is unenforceable by operation of the discharge of debtor filed by the Hawai'i bankruptcy court on October 27, 1995 in appellant's bankruptcy case. Appellant was ordered, on June 5, 2002, to show cause by June 15, 2002 why this appeal should not be dismissed as moot. Appellant has not responded to the June 5, 2002 order. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed as moot.

DATED: Honolulu, Hawai'i, July 11, 2002.