IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GE CAPITAL HAWAII, INC., Plaintiff-Appellee

VS.

DAVID BRILLANTES OCON, and JEAN BALLAN OCON, Defendants-Appellants

and

LILIA BRILLANTES OCON, NARCISO BRILLANTES OCON, FLEET MORTGAGE CORP., DIRECTOR OF TAXATION, STATE OF HAWAI'I, JOHN DOES 1-50, JANE DOES 1-50, DOE PARTNERSHIPS 1-50, DOE CORPORATIONS 1-50, DOE ENTITIES 1-50, and DOE GOVERNMENTAL UNITES 1-50, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT (CIV. NO. 01-1-1977)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellants by letter dated November 8, 2002 that the time for filing the opening brief expired on October 26, 2002 and that, pursuant to Rule 30 of the Hawai'i 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. Appellants having failed to respond to said letter or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed. DATED: Honolulu, Hawai'i, December 5, 2002.