

NO. 27959

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

STATE OF HAWAI'I, Plaintiff-Appellee,  
v.  
GARTH ALLAN GUNDERSON, Defendant-Appellant

EM. RIMANDO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2006 NOV 30 PM 12:03

FILED

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CASE NOS. 2DTA-06-00642; 0953085MM)

ORDER DISMISSING APPEAL

(By: Burns, C.J., Lim and Foley, JJ.)

Upon review of the record, it appears that: (1) on October 3, 2006, this court directed Defendant-Appellant Garth Gunderson to file the opening brief or an appropriate dismissal within thirty days; and (2) Defendant-Appellant did not file the opening brief or an appropriate dismissal within the time provided. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

Dated: Honolulu, Hawai'i, November 30, 2006.

*James A. Burns*  
Chief Judge

  
Associate Judge

*Charles R. Foley*  
Associate Judge