

NO. 28434

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

ANTHONY JOSEPH SCOTT, Petitioner-Appellant,
v.
STATE OF HAWAI'I, Respondent-Appellee

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2007 AUG 15 AM 9:16

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
KONA DIVISION
(S.P.P. NO. 07-1-0001K)

ORDER DISMISSING APPEAL

(By: Recktenwald, C.J., Watanabe and Nakamura, JJ.)

Upon review of the record, it appears that: (1) Petitioner-Appellant Anthony Joseph Scott filed a notice of appeal on March 6, 2007; (2) on May 7, 2007, the appellate clerk filed a notice of entering case on calendar and notified Appellant that the jurisdictional statement was due on May 17, 2007 and the opening brief was due on June 16, 2007; (3) Appellant did not file the statement of jurisdiction or the opening brief; (4) on June 29, 2007, the appellate clerk informed Appellant that the time to file the statement of jurisdiction and the time to file the opening brief had expired and that the matter would be brought to the attention of the court on July 6, 2007 for such action as the court deems proper and the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (6) Appellant did not file the statement of jurisdiction and opening brief or seek relief from default.

Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed
pursuant to HRAP Rule 30.

DATED: Honolulu, Hawai'i, August 15, 2007.

M. E. Amodeo

Chief Judge

Corinne K. A. Watanabe

Associate Judge

C. H. Nakamura

Associate Judge