

NO. 28460

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

STATE OF HAWAI'I,
Plaintiff-Appellee,

v.

ISAAC SMITH, aka DEREK DAVIS,
Defendant-Appellant.

KHAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 NOV -5 PM 2:01

FILED

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CR. NO. 06-1-0364)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

- (1) Defendant-Appellant Isaac Smith, aka Derek Davis, filed a notice of appeal on March 21, 2007;
- (2) Appellant filed the statement of jurisdiction on June 1, 2007;
- (3) Appellant did not file the opening brief;
- (4) on July 13, 2007, the appellate clerk informed Appellant that the opening brief was in default and that the matter would be called to the attention of the appellate court for such action as the court deems proper;
- (5) on September 26, 2007, this court issued an order directing Appellant to file the opening brief within thirty days or face dismissal;
- (6) although the order was mailed to Appellant at his last known address, the document was returned because Appellant was no longer at the address;
- (7) Appellant failed to provide a current address for delivery of court orders and failed to file the

opening brief. Therefore,

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

DATED: Honolulu, Hawai'i, November 5, 2007.

Manuel Medina

Chief Judge

Corinne K. Wataneke

Associate Judge

Craig W. Nakamura

Associate Judge