

NO. 30149

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,

v.

SENITA M. TUIVAILALA, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CR. NO. 07-1-0367)

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30

(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon review of the record, it appears that:

(1) Defendant-Appellant Senita M. Tuivailala (Appellant) filed a notice of appeal on October 28, 2009; (2) on November 2, 2009, Appellant filed a second notice of appeal; (3) on December 28, 2009, the appellate clerk filed a notice of entering case on calendar and notified Appellant the jurisdictional statement was due on January 7, 2010 and the opening brief was due on February 6, 2010 (4) Appellant did not file the jurisdictional statement or the opening brief; (5) on February 25, 2010, the appellate clerk informed Appellant that (a) the time to file the jurisdictional statement and the opening brief expired; (b) the matter would be brought to the attention of the court on March 4, 2010 for such action as the court deems proper; and (c) the appeal may be dismissed pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 30; (6) Appellant did not file the jurisdictional statement or the opening brief. Therefore,

EMERSON
CLERK, APPELLATE COURTS
STATE OF HAWAII

2010 APR 22 AM 8:43

FILED

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

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

DATED: Honolulu, Hawai'i, April 22, 2010.

Craig S. Nakamura

Chief Judge

Charles R. Foley

Associate Judge

[Signature]

Associate Judge