

NO. 24222

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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ROY L. BARNHILL, SR., Individually and as Special  
Administrator for the Estate of Elizabeth R. Barnhill,  
deceased, and as Next Friend of Adam J. Barnhill a minor;  
ROY L. BARNHILL, JR.; ROBIN BARNHILL DINNAN; DANA BARNHILL;  
and BROOKE BARNHILL, Plaintiffs-Appellees

vs.

FILM PAYMENT SERVICES, INC., Defendant-Appellant

and

ALLAN C.H. BRADY, VZ/S EASTERN PICTURES,  
INC., VON ZERNECK/SERTNER FILMS; DUKE  
PRODUCTIONS, Defendants-Appellees

and

DOE DEFENDANTS 1-10, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 99-0863)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellant Film Payment Services, Inc. by letter dated October 30, 2001, that the time for filing the opening brief expired on August 1, 2001 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; and appellant having

failed to respond to said letter or to otherwise oppose  
dismissal; therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, January 22, 2002.