

*** NOT FOR PUBLICATION ***

NO. 25608

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

PETER DAVID MEDINA, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 02-1-0045)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court ordered appellant to file the opening brief or an appropriate dismissal of the appeal within 30 days from the date of the order filed on February 17, 2004. Appellant having failed to file the opening brief or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, April 26, 2004.