

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 26655

IN THE SUPREME COURT OF THE STATE OF HAWAII

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STATE OF HAWAII, by its Office of Consumer Protection,  
Plaintiff-Appellee

vs.

STUART FURMAN, Defendant-Appellant

and

HAWAIIAN PALISADE HOMES, LLC., a Hawaii limited liability  
company; ARTHUR M. SMITH; HELEN D. LANGLOIS; JOHN DOES 1-30; DOE  
CORPORATIONS 1-20; DOE ENTITIES 1-20, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 02-1-1746)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that this court informed Appellant by letter dated September 17, 2004, that the time for filing the statement of jurisdiction expired on September 6, 2004, and by letter dated October 15, 2004, that the time for filing the opening brief expired on October 6, 2004, 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

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dismissal of the appeal. Appellant having failed to respond to said letters or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, November 4, 2004.