

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 27468

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

GEORGE GARY PEABODY, Defendant-Appellant

FILED  
2006 JAN 19 PM 1:16  
CLERK OF THE SUPREME COURT  
STATE OF HAWAII

FILED

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT  
(CASE NOS. HMT1-HMT6)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court<sup>1</sup>)

Upon review of the record, it appears that this court informed Appellant by letter dated December 9, 2005 that the time for filing the statement of jurisdiction expired on November 3, 2005 and the time for filling the opening brief expired on December 3, 2005, and that, pursuant to Rule 30 of the Hawaii Rules of Appellate Procedure, the matter would be called to the attention fo the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to file the statement of jurisdiction and the opening brief,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, January 19, 2006.

FOR THE COURT:

*Ann C. Nakayama*

Associate Justice



<sup>1</sup>Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.