

*** NOT FOR PUBLICATION ***

NO. 27348

IN THE SUPREME COURT OF THE STATE OF HAWAII

CLERK, APPELLATE COURTS
STATE OF HAWAII
L. RIMANDO

2006 JUN 15 AM 7:45

FILED

WILLIAM EUGENE KIRKS, Plaintiff-Appellant

vs.

LEE MYERS, Defendant-Appellee

and

DUANE M. ENCKS, JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10; and DOE PARTNERSHIPS 1-10, DOE FOREIGN CORPORATIONS 1-50, DOE FOREIGN PARTNERSHIPS 1-50, and DOE GOVERNMENTAL ENTITIES 1-50; DOE GOVERNMENTAL AGENCIES 1-50, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 00-1-3581)

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court¹)

Upon review of the record, it appears that this court informed Appellant by letter dated April 21, 2006, that the time for filing the opening brief expired on April 7, 2006, 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. Appellant having failed to respond to said letter or to otherwise oppose dismissal,

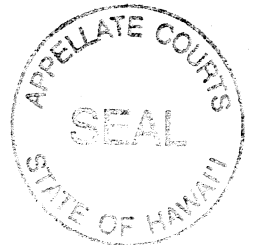
IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, June 15, 2006.

FOR THE COURT:

Funmi C. Nakayama

Associate Justice



¹Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.