

NO. 23689

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

LORRAINE KOTAKE, Petitioner-Appellee

vs.

GERHART SOMMER, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT
(FC-DA NO. 00-1-0272)

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 Gerhart Sommer by letter dated January 18, 2001, that the time for filing the opening brief expired on December 2, 2000 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 has 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, February 6, 2001.