

NO. CAAP-13-0000573

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
NICHOLAS D. BURNS, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CR. NO. 12-1-0630(4))

ORDER APPROVING THE DECEMBER 12, 2013
STIPULATION OF THE PARTIES FOR DISMISSAL OF APPEAL
(By: Nakamura, C.J., Leonard and Reifurth, JJ.)

Upon consideration of the Stipulation of the Parties for Dismissal of Appeal and Order, filed December 12, 2013, by Defendant-Appellant Nicholas D. Burns (Appellant), the papers in support, and the record, it appears that (1) the parties seek dismissal of the appeal, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b); and (2) the stipulation is dated and signed by counsel for both parties, and includes a declaration by Appellant that complies with HRAP Rule 42(c).

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed.

DATED: Honolulu, Hawai'i, December 30, 2013.

Chief Judge

Associate Judge

Associate Judge