

NO. CAAP-12-0000880

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

STATE OF HAWAI'I, Plaintiff-Appellant, v.
ROBERT SMITH, Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CR. NO. 12-1-0015)

ORDER GRANTING APPELLANT STATE OF HAWAI'I'S
FEBRUARY 7, 2013 MOTION TO DISMISS APPEAL
(By: Nakamura, C.J., Foley and Ginoza, JJ.)

Upon consideration of the Motion to Dismiss Appeal,
filed on February 7, 2013, by Plaintiff-Appellant State of
Hawai'i, and the records and files herein,

IT IS HEREBY ORDERED that the motion is granted and the
appeal is dismissed. The parties shall bear their own appellate
costs and fees.

DATED: Honolulu, Hawaii, February 20, 2013.

Chief Judge

Associate Judge

Associate Judge