

NO. CAAP-12-1002

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.  
UPU VAI, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CR. NO. 10-1-1291)

ORDER APPROVING THE JUNE 7, 2013  
STIPULATION FOR DISMISSAL OF APPEAL  
(By: Nakamura, C.J., Foley and Ginoza, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal, filed June 7, 2013, by Defendant-Appellant Upu Vai (Appellant), the papers in support, and the record, it appears that (1) this criminal appeal has been docketed; (2) the parties seek to dismiss the appeal pursuant to Rule 42 of the Hawai'i Rules of Appellate Procedure (HRAP); (3) counsel for all parties to the appeal have signed the stipulation; and (4) attached to the stipulation is a declaration signed by Appellant that complies with HRAP Rule 42(c). Therefore,

**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**

IT IS HEREBY ORDERED that the stipulation is approved and the appeal is dismissed, pursuant to HRAP Rule 42(b) and (c).

DATED: Honolulu, Hawai'i, June 17, 2013.

Chief Judge

Associate Judge

Associate Judge