

NO. CAAP-13-0000951

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, DEPARTMENT OF HAWAIIAN HOME LANDS,
Plaintiff-Appellee,

v.

FREDERICK H.K. BAKER, JR.,
Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3RC12-1-615)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Nakamura, C.J., Foley and Reifurth, JJ.)

Upon consideration of Defendant-Appellant Frederick H.K. Baker, Jr.'s "Motion to Voluntarily Dismiss His Appeal," filed June 3, 2013, Plaintiff-Appellee State of Hawai'i, Department of Hawaiian Home Lands' "Statement of Position Regarding Appellant's Motion to Voluntarily Dismiss His Appeal Filed June 3, 2013," filed June 5, 2013, the papers in support, and the record, it appears that this appeal has not been docketed. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted and the appeal is dismissed. The dismissal is not an adjudication of the merits of the appeal, but

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Defendant-Appellant will not be entitled to reinstate his appeal at a later date. The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, June 19, 2013.

Chief Judge

Associate Judge

Associate Judge