

NO. CAAP-13-00000663

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
RALPH LACIVITA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5DCW-12-0000287)

ORDER APPROVING THE SEPTEMBER 6, 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, filed September 6, 2013, by Defendant-Appellant Ralph J. Lacivita, the papers in support, and the record, it appears that (1) the stipulation is dated and signed by counsel for the parties; (2) the parties seek dismissal of the appeal pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42; (3) the parties agree to bear their own costs and fees on appeal; and (4) the stipulation includes a declaration signed 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NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER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. The parties shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, October 7, 2013.

Chief Judge

Associate Judge

Associate Judge