

NO. CAAP-12-0001112

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

BRAIGHANE LUIKA KALEO'NAHE PATRICIA MARS, Petitioner-Appellee, v.
DAVID EVIN BERRY, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-P NO. 03-1-0247)

ORDER APPROVING THE DECEMBER 17, 2013
STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE
(By: Foley, Presiding Judge, Leonard and Reifurth, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal With Prejudice, filed December 17, 2013, and the record, it appears that (1) the stipulation is dated and signed by counsel for all parties; (2) the parties seek to dismiss the appeal with prejudice, pursuant to Hawai'i Rules of Appellate Procedure Rule (HRAP) 42(b), and agree to bear their own costs and attorneys' fees on appeal; (3) the appeal has not been docketed; and (4) dismissal is warranted under HRAP Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed with prejudice. The parties shall bear their own appellate costs and attorneys' fees.

DATED: Honolulu, Hawai'i, January 2, 2014.

Presiding Judge

Associate Judge

Associate Judge