

NO. CAAP-12-0000640

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

RAINELL JAVIER, Individually and as Prochein Ami
for JORDAN MANO-RAGUDO, a Minor, and JEREMY JAVIER,
Plaintiffs-Appellees,

v.

JOHN COSTALES, JR., Individually and in his
Official Capacity as Principal of Kalama Intermediate School,
STATE OF HAWAI'I, DEPARTMENT OF EDUCATION,
Defendants-Appellants,

and

KINGSLEY LINDSEY, a Minor, CARRIE LINDSEY,
as Parent of Minor KINGSLEY LINDSEY,
JOHN DOES 1-10; JANE DOES 1-10; et al, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CIVIL NO. 07-1-0160(1))

ORDER APPROVING THE SEPTEMBER 19, 2014
STIPULATION FOR VOLUNTARY DISMISSAL OF APPEAL
(By: Nakamura, C.J., Foley and Leonard, JJ.)

Upon consideration of the Stipulation for Voluntary
Dismissal of Appeal, filed by Defendants-Appellants State of
Hawai'i and Department of Education (**Appellants**), and the record,

it appears that (1) Appellants and Plaintiffs-Appellees Rainell Javier, Individually and as Prochein Ami for Jordan Mano-Ragudo, a Minor, and Jeremy Javier, stipulate to dismiss Appeal No. CAAP-12-0000640; (2) Appellants and Plaintiffs-Appellees, through their attorneys, have signed the stipulation; (3) the stipulation provides that "[e]ach party is to bear its own costs and fees"; (4) no fees are due; and (5) Hawai'i Rules of Appellate Procedure Rule 42(b) provides, "If the parties to a docketed appeal or other proceeding sign and file a stipulation for dismissal, specifying the terms as to payment of costs, and pay whatever fees are due, the case shall be dismissed upon approval by the appellate court[.]"

Therefore, IT IS HEREBY ORDERED that Appeal No. CAAP-12-0000640 is dismissed. Appellants and Plaintiffs-Appellees shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, October 1, 2014.

Chief Judge

Associate Judge

Associate Judge