

NO. CAAP-13-0000106

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

THELMA Y. OSHIRO, Plaintiff-Appellee,
v.
MALCOLM I. OSHIRO, Defendant-Appellant,
(FC-D NO. 11-1-0288)

In the Matter of the Guardianship
of THELMA YUKIE OSHIRO, Respondent
(FC-G NO. 11-1-0036)

APPEAL FROM THE FAMILY COURT OF THE SECOND CIRCUIT

ORDER GRANTING THE SEPTEMBER 15, 2014
STIPULATION TO DISMISS APPEAL
(By: Nakamura, C.J., Foley and Ginoza, JJ.)

Upon consideration of the Stipulation to Dismiss Appeal, filed by Defendant/Petitioner/Appellant Malcolm I. Oshiro and Petitioner-Appellant Mavis M. Nakahashi (**Appellants**), on September 15, 2014, and the record, it appears that (1) Appellants and Plaintiff/Respondent/Appellee Thelma Y. Oshiro (Thelma Oshiro) stipulate to dismiss Appeal No. CAAP-13-0000106;

(2) Appellants and Thelma Oshiro, through their attorneys, have signed the stipulation; (3) the stipulation provides that "[t]he parties shall each be responsible for their own attorneys fees and costs"; (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-13-0000106 is dismissed. Appellants and Thelma Oshiro shall bear their own appellate costs and fees.

DATED: Honolulu, Hawai'i, September 26, 2014.

Chief Judge

Associate Judge

Associate Judge