

NO. CAAP-17-0000047

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

LEON R. ROUSE, Plaintiff-Appellant, v.
ANDREW R. WALDEN, Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 15-1-0995-05)

ORDER GRANTING THE FEBRUARY 2, 2017 MOTION TO DISMISS THE APPEAL
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of pro se Plaintiff-Appellant Leon R. Rouse's (Appellant) "Notice of Withdrawal of Notice of Appeal," conventionally filed in the Circuit Court of the First Circuit on January 31, 2017, and electronically filed here on February 2, 2017, which the court construes as a motion to dismiss the appeal (Motion), the papers in support, and the record, it appears that (1) Appellant seeks to dismiss the appeal; (2) the record on appeal has not been filed; and (3) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(a).

Therefore, IT IS HEREBY ORDERED that the Motion is granted and the appeal is dismissed.

DATED: Honolulu, Hawai'i, February 9, 2017.

Presiding Judge

Associate Judge

Associate Judge