

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 30105

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
LYNDON FURTADO, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 08-1-2002)

K. HONOKAKADO
CLERK OF APPELLATE COURTS
STATE OF HAWAI'I

2010 FEB 23 AM 7:49

FILED

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULES 42(b) and (c)
(By: Nakamura, C.J., Foley and Fujise, JJ.)

Upon consideration of Defendant-Appellant Lyndon Furtado's Motion to Dismiss Appeal, the declarations in support, and the records and files herein, it appears that: (1) Defendant-Appellant Lyndon Furtado (Appellant) states that he wishes to dismiss his appeal; (2) Appellant's declaration in support indicates that Appellant understands the consequences of dismissing his appeal and that the dismissal is voluntary. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss appeal is granted, and this appeal is dismissed pursuant to Hawai'i Rules of Appellate Procedure Rules 42(b) and (c).

DATED: Honolulu, Hawai'i, February 23, 2010.

Craig H. Nakamura
Chief Judge

Daniel R. Foley
Associate Judge

Aura Oshu Fujise
Associate Judge