## NO. 29919

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ALBERTA S. DEJETLEY; JOHN R. DELA CRUZ;
DEBORAH YOOKO DELA CRUZ; LAURIE ANN DELIMA;
ROY Y.H. DELIMA; MICHAEL "PHOENIX" DUPREE;
GAREK PAUL ELIGADO; SHEILA A. ELIGADO; LAWRENCE G. ENDRINA;
DARLENE JANICE ENDRINA; REYNOLD MASAJI GIMA;
BRUCE HARVEY; JENNIFER PHILOMENA LICHTER; RON MCOMBER;
PHYLLIS S. MCOMBER; SHERRI MORA; JOHN W. ORNELIAS;
GAIL REINER FRENCH; NEAL S. TAMASHIRO;
TOM URPANIL JR.; and BEVERLY ZIGMOND,

vs.

Petitioners/Plaintiffs-Appellants,

SOLOMON P. KAHO'OHALAHALA, Respondent/Defendant-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT (CIV. NO. 08-1-0678)

ORDER DISMISSING LAWRENCE G. ENDRINA

AND DARLENE JANICE ENDRINA

(By: Acoba, J. for the court<sup>1</sup>)

Upon consideration of the Stipulation to Dismiss

Lawrence G. Endrina and Darlene Janice Endrina as PetitionersPlaintiffs-Appellants and the record herein, it appears that,
pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule

42(b), this court may dismiss a case, inter alia, "[i]f the
parties to a docketed appeal . . . sign and file a stipulation
for dismissal, . . . but no mandate or other process shall
issue[.]" Therefore,

 $<sup>^{\</sup>mbox{\scriptsize 1}}$  Considered by: Moon, C.J., Nakayama, Acoba, Duffy, and Recktenwald, JJ.

IT IS HEREBY ORDERED that pursuant to HRAP Rule 42(b), Lawrence G. Endrina and Darlene Janice Endrina are dismissed as Petitioners-Plaintiffs-Appellants herein, with each party to bear its own costs, attorneys' fees and litigation expenses.

DATED: Honolulu, Hawai'i, April 6, 2010.

FOR THE COURT:

Associate Justice

SEAL SEAL STEOF HAME

Kenneth R. Kupchak, Robert H. Thomas, and Elizabeth L. Burroughs for Petitioners-Plaintiffs-Appellants.

Philip H. Lowenthal and Benjamin E. Lowenthal for Respondent-Defendant-Appellee.