

NO. CAAP-10-0000076

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
SCOTT R. REINHARDT, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1DTA-10-00938)

ORDER APPROVING DEFENDANT-APPELLANT'S
STIPULATION FOR DISMISSAL OF APPEAL
(By: Nakamura, C.J., Leonard and Ginoza, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal filed by Defendant-Appellant Scott R. Reinhardt, the papers in support, and the records and files herein, it appears that: (1) on October 15, 2010, Defendant-Appellant Scott R. Reinhardt (Appellant) filed a notice of appeal; (2) the record on appeal was filed on December 9, 2010, and the appellate clerk informed Appellant that the jurisdictional statement was due December 20, 2010 and the opening brief was due January 18, 2011; (3) Appellant did not file the jurisdictional statement or the opening brief; (4) on April 25, 2011, the clerk's office informed

Appellant that the statement of jurisdiction and the opening brief were in default and that the matter would be called to the attention of the court on May 5, 2011 and the appeal may be dismissed; (5) on May 4, 2011, Appellant's appellate counsel notified the court that Appellant wanted to dismiss the appeal; (6) on May 16, 2011, Appellant filed a stipulation for dismissal with the parties to bear their own costs and attorney's fees; (7) the stipulation indicates that Appellant wants to dismiss the appeal because he is returning to the mainland and he asks the court to expedite dismissal of the appeal; and (8) the stipulation is supported by the declaration of counsel and is signed by Appellant that he approves and agrees to the dismissal.

Therefore, IT IS HEREBY ORDERED that the stipulation is approved, and this appeal is dismissed.

DATED: Honolulu, Hawai'i, May 27, 2011.

Chief Judge

Associate Judge

Associate Judge