

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-11-0000664  
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NO. CAAP-11-0000664

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

STATE OF HAWAII, Plaintiff-Appellee, v.  
KYLE CAMERON SCHARNHORST, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CR. NO. 07-1-0628(2))

ORDER GRANTING THE MOTION FOR  
VOLUNTARY DISMISSAL OF APPEAL FILED ON DECEMBER 14, 2012  
(By: Foley, Presiding Judge, Fujise and Ginoza, JJ.)

Upon consideration of the Motion for Voluntary Dismissal of Appeal, filed on December 14, 2012 by Cynthia A. Kagiwada, Esq., counsel for Defendant-Appellant Kyle Cameron Scharnhorst, the attachments thereto, and the files herein, it appears that Defendant-Appellant's declaration reflects a knowing and intelligent understanding of the consequences of the dismissal of the appeal with prejudice and that Defendant-Appellant's withdrawal of his appeal is made voluntarily.


NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

IT IS HEREBY ORDERED that the motion is granted, pursuant to Hawai'i Rules of Appellate Procedure Rule 42, and the appeal is dismissed.

DATED: Honolulu, Hawai'i, December 19, 2012.

  
Daniel R. Foley  
Presiding Judge

  
Associate Judge

  
Jim W. King  
Associate Judge