

NO. CAAP-16-0000383

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

DARRELL YUN HAN CHUNG, Plaintiff-Appellant,  
v.  
CHILD SUPPORT ENFORCEMENT AGENCY, STATE OF HAWAII,  
and  
JO ANN KU'ULEIALOHA KAWAI, Defendant-Appellees

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT  
(FC-A NO. 14-1-0001 FC-P NO. 02-1-1022)

ORDER APPROVING IN PART THE AUGUST 12, 2016  
"STIPULATION FOR DISMISSAL OF APPEAL WITH PREJUDICE"  
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal With Prejudice, filed August 12, 2016, by Plaintiff-Appellant Darrell Yun Han Chung, the papers in support, and the record, it appears that (1) pursuant to Hawaii Rules of Appellate Procedure (HRAP) Rule 42(b), the parties stipulate to dismiss the appeal with prejudice, and bear their own costs and attorneys' fees on appeal; (2) the stipulation is dated and signed by counsel for all parties appearing in the appeal; (3) the appeal has not been docketed; and (4) HRAP Rule 42(b) governs dismissal of docketed appeals, whereas HRAP Rule 42(a) authorizes dismissal before an appeal is docketed.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved in part and the appeal is dismissed with prejudice pursuant to HRAP Rule 42(a). The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, September 23, 2016.

Chief Judge

Associate Judge

Associate Judge