

NO. CAAP-16-0000343

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

JOANNA K. NISHIGUCHI, Plaintiff-Appellant, v.
LAURENCE E. NISHIGUCHI, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 12-1-6401)

ORDER APPROVING THE SEPTEMBER 6, 2016
"STIPULATION FOR VOLUNTARY DISMISSAL OF APPEAL"
(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation for Voluntary Dismissal of Appeal and Order, filed September 6, 2016, by Plaintiff-Appellant Joanna K. Nishiguchi, the papers in support, and the record, it appears that (1) pursuant to Hawai'i 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, October 5, 2016.

Chief Judge

Associate Judge

Associate Judge