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Intermediate Court of Appeals  
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NO. CAAP-16-0000506

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.  
JOSEPH TUI, JR., Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CR. NO. 13-1-0371)

ORDER APPROVING THE NOVEMBER 16, 2016  
"STIPULATION TO DISMISS APPEAL"

(By: Nakamura, C.J., Fujise and Reifurth, JJ.)

Upon consideration of the Stipulation to Dismiss Appeal, filed November 16, 2016, by Defendant-Appellant Joseph Tui, Jr. (Appellant), the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal, pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(b) and (c); (3) the stipulation is signed by counsel for all parties appearing in the appeal; and (4) the stipulation includes Appellant's declaration showing he understands the consequences of voluntary dismissal, consistent with HRAP Rule 42(c).

Therefore, IT IS HEREBY ORDERED that the stipulation is approved and the appeal is dismissed. The parties shall bear their own costs on appeal.

DATED: Honolulu, Hawai'i, November 22, 2016.

*Craig H. Nakamura*

Chief Judge

*Amara D. Fife*

Associate Judge

*Lawrence M. Reiff*

Associate Judge