

NO. CAAP-16-0000591

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
OLSEN S. DARRA, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-CR. NO. 16-1-1061)

ORDER APPROVING THE JULY 21, 2017
"STIPULATION FOR DISMISSAL OF APPEAL"
(By: Fujise, Presiding Judge, Leonard and Ginoza, JJ.)

Upon consideration of the "Stipulation for Dismissal of Appeal" filed July 21, 2017, by Deputy Public Defender Phyllis J. Hironaka (Hironaka), for Defendant-Appellant Olsen S. Darra (Darra), it appears that (1) the appeal was docketed on August 24, 2016; (2) Hironaka avers in her declaration attached to and incorporated in the stipulation, that Darra died on February 23, 2017 and that neither Darra's widow nor the Office of the Public Defender will be seeking to substitute in Darra's stead to continue this appeal; (3) pursuant to Hawaii Rules of Appellate Procedure Rule 42(b), the parties stipulate to dismiss the appeal with prejudice and that there are no outstanding fees or costs; and (4) the stipulation is dated and signed by counsel for all parties appearing in the appeal.

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved, and the appeal is dismissed with

prejudice. The parties shall bear their own costs and attorneys' fees on appeal.

DATED: Honolulu, Hawai'i, August 14, 2017.

Presiding Judge

Associate Judge

Associate Judge