

NO. CAAP-18-0000444

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
MARK N. KOEHLER, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5DTA-15-00096)

ORDER GRANTING THE AUGUST 21, 2018
MOTION TO VOLUNTARILY WITHDRAW APPEAL
(By: Fujise, Presiding Judge, Reifurth and Chan, JJ.)

Upon consideration of Defendant-Appellant Mark N. Koehler's (Koehler) August 21, 2018 Motion to Voluntarily Withdraw Appeal, the papers in support, and the record, it appears that (1) on August 2, 2018, the district court clerk docketed the appeal; (2) Koehler seeks to withdraw the appeal; (3) the instant motion includes Koehler's declaration showing he understands the consequences of voluntary dismissal, consistent with Hawaii Rules of Appellate Procedure (HRAP) Rule 42(c); and (4) dismissal is authorized by HRAP Rule 42(b) and (c).

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Therefore, IT IS HEREBY ORDERED that the motion to withdraw the appeal is granted, and the appeal is dismissed.

DATED: Honolulu, Hawai'i, September 17, 2018.

Presiding Judge

Associate Judge

Associate Judge