Electronically Filed Intermediate Court of Appeals CAAP-17-0000698 10-FEB-2020 10:00 AM

#### NO. CAAP-17-0000698

### IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

CAROLYN L. RITCHIE, Plaintiff-Appellant, v. STATE OF HAWAI'I, DEPARTMENT OF PUBLIC SAFETY; and NEAL WAGATSUMA, in his official capacity as Warden of the Kauai Community Correctional Center, Department of Public Safety, State of Hawai'i, and in his individual capacity; DOE DEFENDANTS 1-10, Defendants-Appellees

# APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT (CIVIL NO. 14-1-0015)

## ORDER APPROVING STIPULATION TO DISMISS APPEAL (By: Fujise, Presiding Judge, Chan and Hiraoka, JJ.)

Upon consideration of the Stipulation to Dismiss Appeal (Stipulation), filed January 29, 2020, by Defendants-Appellees State of Hawai'i, Department of Public Safety; and Neal Wagatsuma, in his official capacity as Warden of the Kauai Community Correctional Center, Department of Public Safety, State of Hawai'i, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs; (3) the stipulation is dated and signed by all parties or counsel for all parties appearing in the

## NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

appeal; and (4) dismissal is authorized by Hawai'i Rules of Appellate Procedure Rule 42(b).

Therefore, IT IS HEREBY ORDERED that the stipulation to dismiss the appeal is approved and the appeal is dismissed. The parties shall bear their own attorneys' fees and costs. DATED: Honolulu, Hawai'i, February 10, 2020.

**Denutlikk** Associate Judge

Kuth K Hirarka

Associate Judge