

**Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000710
22-NOV-2021
07:47 AM
Dkt. 85 OAWST**

NO. CAAP-19-0000710

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
CLAY MARSHALL, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 1CPC-18-0001102)

ORDER APPROVING THE NOVEMBER 12, 2021
STIPULATION FOR DISMISSAL OF APPEAL
(By: Ginoza, Chief Judge, Leonard and Hiraoka, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal, filed November 12, 2021, and executed by counsel for Defendant-Appellant Clay Marshall (**Marshall**) and the State of Hawaii, the papers in support, and the record, it appears that:

- (1) the appeal has been docketed;
- (2) Marshall seeks to dismiss the appeal;
- (3) the motion includes Marshall'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).

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

DATED: Honolulu, Hawai'i, November 22, 2021.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Keith K. Hiraoka
Associate Judge