

**Electronically Filed
Intermediate Court of Appeals
CAAP-21-0000648
15-DEC-2022
07:55 AM
Dkt. 29 OAWST**

NO. CAAP-21-0000648

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

THE BANK OF NEW YORK MELLON, fka THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST
2005-62, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-62,
Plaintiff-Appellee, v. JEFF A. BOTELHO; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR COLORADO
FEDERAL SAVINGS BANK; DISCOVER BANK; THE 'IOLANI COMMUNITY
ASSOCIATION, Defendants-Appellees, and JOHN DOES 1-50;
JANE DOES 1-50; DOE PARTNERSHIPS 1-50; DOE CORPORATIONS 1-50;
DOE ENTITIES 1-50; and DOE GOVERNMENTAL UNITS, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CIVIL NO. 3CC14100024K)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

(By: Leonard, Presiding Judge, McCullen and Chan, JJ.)

Upon consideration of the November 8, 2022 Stipulation and Order for Dismissal With Prejudice of Notice of Appeal Filed November 12, 2021, by Defendant-Appellant Jeff A. Botelho, the papers in support, and the record, it appears that (1) the appeal has not been docketed, (2) the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs, and (3) 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, under Hawai'i Rules of Appellate Procedure Rule 42(a).
The parties shall bear their own attorneys' fees and costs.

DATED: Honolulu, Hawai'i, December 15, 2022.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge