

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000551

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
MAGNO D. FRANCO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1DTA-22-00838)

ORDER APPROVING STIPULATION FOR DISMISSAL OF APPEAL
(By: Leonard, Presiding Judge, Hiraoka and Chan, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal and Order, filed on September 29, 2022, by Defendant-Appellant Magno D. Franco (**Franco**), it appears that (1) the appeal was docketed on November 7, 2022; (2) under Hawaii Rules of Appellate Procedure (**HRAP**) Rule 42(b), the parties stipulate to dismiss the appeal; (3) the stipulation is dated and signed by counsel for all parties appearing in the appeal; (4) attached to the stipulation is Franco's declaration showing that he understands the consequences of voluntary dismissal, consistent with HRAP Rule 42(c); and (5) 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, Hawaii, December 14, 2022.

/s/ Katherine G. Leonard
Presiding Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge