

NO. CAAP-22-0000469

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

ARLENE HELEKAHI, Plaintiff-Appellee, v. HEIRS AND ASSIGNS OF EDGAR HELEKAHI; EDWARD HELEKAHI JR.; EUGENE HELEKAHI; EARL HELEKAHI; ELUAH HELEKAHI; LOLA HELEKAHI; LEILANI HELEKAHI; JOSEPH HELEKAHI; HEIRS AND ASSIGNS OF KANUIHEANA; HEIRS AND ASSIGNS OF NAWAI; HEIRS AND ASSIGNS OF THOMAS KEALOHA KANUIHEANA, JR., also known as KEALOHA (k) and KEALOHA KANUIHEAHANA; HEIRS AND ASSIGNS OF HELEN KEALOHA KAHOOKANO; HEIRS AND ASSIGNS OF KUHEANA (k); HEIRS AND ASSIGNS OF KAUMUALII KUHEANA (k); KAHUAKAINUI HELEKAHI; HEIRS AND ASSIGNS OF MARY MORRIS; HEIRS AND ASSIGNS OF W. BROOKS; COUNTY OF MAUI, STATE OF HAWAII; OFFICE OF HAWAIIAN AFFAIRS, and the following owners of adjoining lands; EDGAR HELEKAHI, Deceased; PATRICK H. SNIFFEN; MAGDALENA T. SNIFFEN; GEORGE ARAKAWA; JANET ARAKAWA; G.S. ARAKAWA (Trust); J.T. ARAKAWA (Trust); THELMA L.W. FARIA; KAPUNA SEASIDE, LLC; and Heirs of persons named above who are deceased, or persons holding under said Heirs, and spouses, assigns, successors, personal representative, executors, administrators, and trustees of persons named above who are deceased, Defendants-Appellees; SANDRA-LENE K. KEALOHA-APOLO; ERINELL LAMALANI ASIS, Defendants-Appellants; LAWRENCE CARNICELLI, Real Party Interest; and DOES 1 through 100; and all other persons unknown claiming any right, title, estate, lien or interest in the real property described and TO ALL WHOM IT MAY CONCERN, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(CASE NO. 2CC071000508)

ORDER APPROVING STIPULATION FOR DISMISSAL OF APPEAL

(By: Wadsworth, Presiding Judge, Nakasone and Chan, JJ.)

Upon consideration of the Stipulation for Dismissal of Appeal, filed February 9, 2023, by Defendants-Appellants Sandra-Lene K. Kealoha-Apolo and Erinell Lamalani Asis, the papers in support, and the record, it appears that (1) the appeal has been docketed and the filing fees have been paid; (2) the parties stipulate to dismiss the appeal with prejudice and bear their own attorneys' fees and costs, under Hawai'i Rules of Appellate Procedure Rule 42(b); 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 is approved and the appeal is dismissed with prejudice. The parties shall bear their own attorneys' fees and costs.

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, February 22, 2023.

/s/ Clyde J. Wadsworth  
Presiding Judge

/s/ Karen T. Nakasone  
Associate Judge

/s/ Derrick H.M. Chan  
Associate Judge