

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000606

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
DEKLA HELGENBERGER, Defendant-Appellant.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CASE NO. 2CPC-20-0000514)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Ginoza, Chief Judge, Wadsworth and Chan, JJ.)

Upon consideration of Defendant-Appellant Dekla Helgenberger's (Helgenberger) January 4, 2023 Motion to Dismiss Appeal, the papers in support, the record,¹ and there being no opposition, it appears that (1) the appeal was docketed on November 9, 2022; (2) Helgenberger seeks to dismiss the appeal; (3) the motion includes Helgenberger's declaration showing she understands the consequences of voluntary dismissal, consistent with Hawai'i 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 motion to dismiss the appeal is granted, and the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 10, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge

¹ Helgenberger defaulted on the opening brief. Helgenberger's counsel, Hayden Aluli, is cautioned to timely file documents. Future violations may result in sanctions.