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Intermediate Court of Appeals  
CAAP-23-0000631  
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NO. CAAP-23-0000631

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.  
VAN OSCAR J. PENOVAROFF, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
NORTH AND SOUTH KONA DIVISION  
(CASE NO. 3DCW-23-0001172)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and Guidry, JJ.)

Upon consideration of the Defendant-Appellant Van Oscar J. Penovaroff's (Penovaroff) April 16, 2024 Motion Dismiss Appellate Proceedings, the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) Penovaroff seeks to dismiss the appeal; and (3) attached to the motion is Penovaroff's declaration showing he understands the consequences of voluntary dismissal, consistent with Hawai'i Rules of Appellate Procedure (HRAP) Rule 42(c). Therefore, IT IS HEREBY ORDERED that the motion is granted and the appeal is dismissed, under HRAP Rule 42(b)-(c).

DATED: Honolulu, Hawai'i, April 23, 2024.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge