

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-23-0000490  
22-MAY-2024  
07:56 AM  
Dkt. 66 OAWST**

NO. CAAP-23-0000490

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.  
DUSTIN KIM, Defendant-Appellant, and  
DUTCHIE KALUNA, Defendant-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CR. NO. 1CPC-20-0001300)

ORDER APPROVING STIPULATION TO DISMISS APPEAL

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

Upon consideration of the Stipulation for Voluntary Dismissal of the Appeal (Stipulation), filed May 20, 2024, by Defendant-Appellant Dustin Kim (Kim), the papers in support, and the record, it appears that (1) the appeal has been docketed; (2) the parties stipulate to dismiss the appeal; and (3) attached to the Stipulation is Kim'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 Stipulation is approved and the appeal is dismissed, under HRAP Rule 42(b)-(c).

DATED: Honolulu, Hawai'i, May 22, 2024.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge