

NO. 23817

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,

vs.

JUAN CARLOS SANCHEZ, Defendant-Appellant.

APPEAL FROM THE SECOND CIRCUIT COURT
(CR. NO. 99-0587(2))

ORDER

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Upon consideration of the Office of the Public Defender's motion to withdraw appeal and to withdraw as counsel for Defendant-Appellant Juan Carlos Sanchez, the papers in support, and the records and files herein, it appears that: (1) on October 16, 2000, the Office of the Public Defender filed a notice of appeal on behalf of Appellant; (2) the Office of the Public Defender informed Appellant that he must remain in contact with his attorney at all times; (3) at the time of Appellant's minimum sentencing hearing, Appellant received a final order of deportation from the Immigration and Naturalization Service (INS); (4) upon calling the prison, appellate counsel learned that the INS picked up Appellant on February 2, 2001 and flew him back to Mexico; (5) Appellant did not inform his attorney of Appellant's transport to Mexico; (6) Appellant did not leave a forwarding address with prison officials or with INS officials; (7) Appellant's attorney cannot locate Appellant's family; and (8) because Appellant failed to remain in contact with his

attorney or leave a forwarding address where he can be contacted in Mexico, it seems Appellant has abandoned his appeal.

Therefore,

IT IS HEREBY ORDERED that the motion is granted, and this appeal is dismissed.

DATED: Honolulu, Hawai'i, June 8, 2001.