

NO. 25157

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DEAN TORRES, dba TORRES PLUMBING,
Plaintiff-Appellee,

vs.

STEPHEN BETSILL, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CIV. NO. W01-1002)

ORDER

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

Upon consideration of Defendant-Appellant Stephen Betsill's motion to dismiss appeal, the declaration of counsel Douglas J. Sameshima in support, and the records and files herein, it appears that Appellant died on July 14, 2002 and the representative of Appellant's estate does not want to pursue this appeal. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss appeal is granted, and this appeal is dismissed. Each party shall bear his own costs of the appeal.

DATED: Honolulu, Hawai'i, September 24, 2002.