

NO. 26143

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

MATTHEW KUOLT, Defendant-Appellant

and

CHRIS T. GOIN, Defendant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 97-0388)

ORDER GRANTING DEFENDANT-APPELLANT
MATTHEW KUOLT'S MOTION TO DISMISS APPEAL

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

Upon consideration of Defendant-Appellant Matthew Kuolt's motion to dismiss his appeal, the papers in support, and the records and files herein, (1) Appellant states that he wants to dismiss his appeal; (2) Appellant's declaration shows that he understands the consequences of dismissing his appeal and that his request to dismiss his appeal is voluntary. Therefore,

IT IS HEREBY ORDERED that Defendant-Appellant Matthew Kuolt's motion to dismiss his appeal is granted, and this appeal is dismissed pursuant to HRAP Rule 42(c).

DATED: Honolulu, Hawai'i, March 3, 2004.

Jacob M. Merrill
for defendant-appellant
on the motion