

NO. 26407

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I, Plaintiff-Appellee

vs.

NAIPUKA MANUFEKAI, Defendant-Appellant

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CR. NO. 02-1-2809)

ORDER GRANTING MOTION AND ORDER FOR DISMISSAL OF APPEAL  
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Defendant-Appellant Naipuka Manufekai's motion for dismissal of the appeal, the papers in support, and the records and files herein, it appears that Appellant's declaration appended to the motion reflects a knowing and intelligent understanding of the consequences of dismissal of the appeal and that the withdrawal of the appeal is voluntary. Therefore,

IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted, and this appeal is dismissed pursuant to HRAP Rule 42(c).

DATED: Honolulu, Hawai'i, June 8, 2004.

Chester M. Kanai for  
defendant-appellant  
on the motion