

NO. 27951

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.  
KELLY COSTA, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT  
(FC-CR. NO. 05-1-2403)

FILED  
GENERAL APPELLATE COURTS  
STATE OF HAWAII

2007 MAR 16 AM 9:40

FILED

ORDER GRANTING MOTION FOR DISMISSAL OF APPEAL  
(By: Burns, C.J., Lim and Foley, JJ.)

Upon consideration of Defendant-Appellant Kelly Costa's motion for dismissal of his appeal, the papers in support, and the records and files herein, it appears that Defendant-Appellant Kelly Costa states he wants to dismiss his appeal and that he understands the consequences of dismissing his appeal.

Therefore,

IT IS HEREBY ORDERED that Defendant-Appellant Kelly Costa's motion for dismissal of his appeal is granted, and this appeal is dismissed pursuant to HRAP Rule 42(c).

DATED: Honolulu, Hawai'i, March 16, 2007.

*James S. Burns*  
Chief Judge

*[Signature]*  
Associate Judge

*Clair R. Foley*  
Associate Judge