

NO. 28630

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
LANG THI PHAM, Defendant-Appellant.

L.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 NOV 19 AM 10:38

FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD CR. NO. 06236928)

ORDER DISMISSING APPEAL

(By: Recktenwald, C.J., Watanabe and Nakamura, JJ.)

Upon consideration of Defendant-Appellant Lang Thi Pham's motion to dismiss appeal pursuant to Rule 42(c) of the Hawai'i Rules of Appellate Procedure (HRAP), the papers in support, and the records and files herein, it appears that: (1) on June 28, 2007, Appellant filed a notice of appeal; (2) in her declaration in support of the motion to dismiss appeal, Appellant states: (a) after discussing the case with her attorney, she decided to withdraw her appeal; (b) she understands her sentence will be final if she withdraws her appeal; and (c) she authorizes her attorney to withdraw the appeal; (3) Appellant's declaration satisfies HRAP Rule 42(c), which provides that the motion for dismissal of the appeal shall be supported by the defendant's declaration that reflects a knowing and intelligent understanding of the consequences of the dismissal and that the withdrawal is

made voluntarily; and (4) Appellant's declaration satisfies the requirements of HRAP Rule 42(c). Therefore,

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

DATED: Honolulu, Hawai'i, November 19, 2007.



Chief Judge



Associate Judge



Associate Judge