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NO. 29253

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

FILED
2008 SEP 17 AM 9:22
NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

IN THE INTEREST OF A.W.

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S NO. 07-11470)

ORDER DISMISSING APPEAL
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon consideration of the Motion to Dismiss Appeal filed by Petitioner-Appellee/Cross-Appellant Department of Human Services, the papers in support, and the records and files herein, it appears that: (1) on July 10, 2008, Father-Appellant filed a notice of appeal; (2) on August 25, 2008, Petitioner-Appellee/Cross-Appellant Department of Human Services filed a notice of appeal, which was docketed as a cross-appeal to Father-Appellant's appeal; and (3) in this motion, Petitioner-Appellee/Cross-Appellant Department of Human Services states it has decided not to go forward with its appeal and asks to withdraw its appeal. Therefore,

IT IS HEREBY ORDERED that Petitioner-Appellee/Cross-Appellant Department of Human Services's Motion to Dismiss its appeal is granted, and the cross-appeal is dismissed. Dismissal of the cross-appeal does not affect the appeal filed by Father-Appellant, and Father-Appellant's appeal remains pending.

DATED: Honolulu, Hawai'i, September 17, 2008.

Daniel R. Foley
Presiding Judge

Associate Judge

Associate Judge