

NO. 28265

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

FILED
2009 MAR 12 AM 7:56
CLERK OF THE COURTS
STATE OF HAWAII

JOEY-LIBERTY N. ACOBA, individually and on behalf of
JAYMEE K.P. ACOBA, a minor, Petitioner-Appellant, v.
BREDITO V. GONZALEZ, JR., Respondent-Appellee

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-DA No. 06-1-1394)

ORDER DISMISSING APPEAL FOR MOOTNESS

(By: Watanabe, Presiding J., Foley, and Fujise, JJ.)

Upon consideration of the record in this appeal, this court's February 17, 2009 "Order to Show Cause Why This Appeal Should Not be Dismissed for Mootness" (Order to Show Cause), and "Petitioner/Appellant's Response to Order to Show Cause Filed on February 17, 2009" filed on February 23, 2009, it appears that the Family Court of the Fifth Circuit¹ has awarded to Petitioner-Appellant (Appellant) sole legal and physical custody of her daughter (Daughter) with Respondent-Appellee (Appellee) and that Daughter now lives with Appellant on O'ahu. Inasmuch as the remedy sought--a protective order prohibiting Appellee from contacting Daughter--is no longer necessary, this appeal is moot. Accordingly,

IT IS HEREBY ORDERED that this appeal is dismissed as moot.

DATED: Honolulu, Hawai'i, March 12, 2009.

Corinne K A Watanabe

Presiding Judge

Daniel D. Foley
Associate Judge

Anna M. Fujise
Associate Judge

¹ The Honorable Calvin K. Murashige presided.