

NO. 29401

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
TYLER NAINOA DUARTE, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 08-1-0871)

ORDER GRANTING DEFENDANT-APPELLANT
TYLER NAINOA DUARTE'S MOTION FOR DISMISSAL OF APPEAL
(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

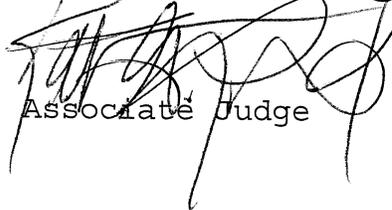
Upon consideration of Defendant-Appellant Tyler Nainoa Duarte's Motion for Dismissal of Appeal, the papers in support, and the records and files herein, it appears that: (1) Appellant wishes to dismiss his appeal; (2) Appellant's declaration, which is appended to the motion, confirms that Appellant's request to dismiss his appeal is voluntary and that he understands the consequences of the dismissal; and (3) Appellant's declaration complies with the requirements of HRAP Rule 42(c). Therefore,

IT IS HEREBY ORDERED that Defendant-Appellant Tyler Nainoa Duarte's Motion for Dismissal of Appeal is granted, and this appeal is dismissed.

DATED: Honolulu, Hawaii, March 2, 2009.


Presiding Judge


Associate Judge


Associate Judge

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

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FILED