

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 29462

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

MICKEY A. MADDOX, Petitioner-Appellant, v  
STATE OF HAWAII, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT  
(SPP NO. 04-1-0030; CR. NO. 94-0496)

K. HANAKAHO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2009 MAR -4 AM 10:27

FILED

ORDER

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

Upon consideration of Petitioner-Appellant Mickey A. Maddox's Petition to Withdraw Rule 35 Appeal, dated February 27, 2009, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the petition to withdraw appeal is granted, and this appeal is dismissed pursuant to Rule 42(b) of the Hawaii Rules of Appellate Procedure.

DATED: Honolulu, Hawaii, March 4, 2009.

*Daniel R. Foley*  
Presiding Judge

*Aewa Olu Fujise*  
Associate Judge

*[Signature]*  
Associate Judge