

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 29924

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

JOSEPH A. SYLVESTER and FRANCES LEE MOREY-SYLVESTER,
Plaintiffs-Appellees,

v.

TINA YOUNG,
Defendant-Appellant.

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2009 OCT 16 AM 7:57

FILED

TINA YOUNG,
Counterclaim/Plaintiff-Appellant,

v.

JOSEPH A. SYLVESTER and FRANCES LEE MOREY-SYLVESTER,
Counterclaim/Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CIVIL NO. 03-1-0151)

ORDER GRANTING APPELLANT'S MOTION TO DISMISS APPEAL
(By: Nakamura, C.J., Watanabe and Leonard, JJ.)

Upon consideration of Defendant-Appellant Tina Young's Motion to Dismiss Appeal, the papers in support, and the records and files herein, IT IS HEREBY ORDERED that the motion to dismiss is granted, and this appeal is dismissed pursuant to HRAP Rule 42(b). The parties shall bear their own appellate fees and costs.

DATED: Honolulu, Hawaii, October 16, 2009.

Craig H. Nakamura

Chief Judge

Brunie K. A. Watanabe

Associate Judge

[Signature]
Associate Judge