



NO. 26444

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHERYL S. MARSHALL, fka CHERYL S. FERREIRA
Plaintiff-Appellee/Cross-Appellant

vs.

NELSON C. FERREIRA,
Defendant-Appellant/Cross-Appellee

K. HAMAKAOU
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 MAY - 2 AM 10:02

FILED

APPEAL FROM THE SECOND CIRCUIT COURT
(FC-D NO. 01-1-0608)

ORDER GRANTING MOTION TO DISMISS
DEFENDANT-APPELLANT/CROSS-APPELLEE'S APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Defendant-Appellant/Cross-Appellee Nelson Ferreira's motion to dismiss his appeal, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that Defendant-Appellant/Cross-Appellee Nelson Ferreira's motion to dismiss his appeal is granted, and Defendant-Appellant/Cross-Appellee's appeal is dismissed. The notice of appeal filed by Plaintiff-Appellee/Cross-Appellant Cheryl S. Ferreira remains pending. See HRAP Rule 4.1(d).

DATED: Honolulu, Hawai'i, May 2, 2005.

Nelson C. Ferreira,
defendant-appellant/
cross-appellee,
pro se, on the motion

Barbara E. Duffy, Jr.