IN THE SUPREME COURT OF THE STATE OF HAWAI'I

JAMES J. HUDSON, Petitioner-Appellant

VS.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT (SPP NO. 05-1-0038; CR. NO. 95-2088)

<u>ORDER</u>

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

Upon consideration of Petitioner-Appellant James
Hudson's letter dated February 7, 2006 stating that he wants to
withdraw his appeal and asking the court to treat the letter as a
motion to withdraw his case,

IT IS HEREBY ORDERED that Appellant's motion to withdraw his case is granted, and this appeal is dismissed.

DATED: Honolulu, Hawai'i, February 17, 2006.

James Hudson, petitioner-appellant, pro se, on the motion

St. All.

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