

NO. 27623

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TRACY T. IBARA, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2006 APR - 7 AM 9:31

FILED

APPEAL FROM THE SECOND CIRCUIT COURT
(SPP NO. 05-1-0026; CR. NO. 97-0336)

ORDER VACATING DISMISSAL OF APPEAL

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

Upon consideration of appellant's "motion not to dismiss appeal," which shall be treated as a motion to vacate the March 24, 2006 order dismissing this appeal, the papers in support and the record,

IT IS HEREBY ORDERED that the motion to vacate the March 24, 2006 order is granted and the dismissal of this appeal is vacated.

DATED: Honolulu, Hawai'i, April 7, 2006.

Tracy T. Ibara
appellant pro se
on the motion

Kama E. Duffy Jr.