

**Electronically Filed
Intermediate Court of Appeals
CAAP-16-000091
30-MAR-2016
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NO. CAAP-16-000091

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
ROBERT MCCLURG, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5DCC-15-0000251)

ORDER APPROVING THE MARCH 14, 2016
STIPULATION TO WITHDRAW NOTICE OF APPEAL
(By: Foley, Presiding Judge, Leonard and Ginoza, JJ.)

Upon consideration of the "Stipulation to Withdraw Notice of Appeal (to Correct Sentence)," filed March 14, 2016, by Plaintiff-Appellee State of Hawaii, the papers in support, and the record, it appears that (1) the appeal has not been docketed; (2) the parties stipulate to withdraw the notice of appeal, filed February 19, 2016, which the court construes as a stipulation to dismiss the appeal, pursuant to Hawaii Rules of Appellate Procedure (HRAP) Rule 42(a); (3) the stipulation is dated and signed by Defendant-Appellant Robert McClurg (Appellant) and counsel for all parties appearing in the appeal; and (4) the stipulation includes Appellant's declaration showing he understands the consequences of voluntary dismissal, consistent with HRAP Rule 42(c).

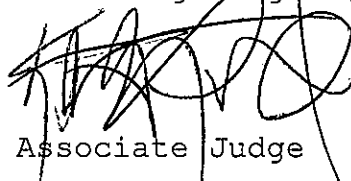
NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, IT IS HEREBY ORDERED that the stipulation is approved and the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 30, 2016.


Charles R. Foley

Presiding Judge



Associate Judge



Associate Judge