

NO. 26885

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellant/Cross-Appellee

vs.

WARLITO GOROSPE, Defendant-Appellee/Cross-Appellant

KORINA T. YARRA
CLERK OF APPELLATE COURTS
STATE OF HAWAII

2005 SEP 29 PM 3:33

FILED

APPEAL FROM THE THIRD CIRCUIT COURT
(CR. NO. 02-1-248)

ORDER

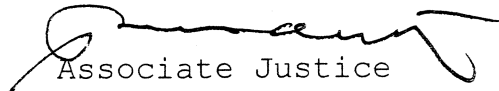
(By: Acoba, J.)

Upon review of the record, it appears that (1) on June 17, 2005, Defendant-Appellee/Cross-Appellant's cross-appeal was dismissed by stipulation of the parties and (2) on September 23, 2005, Plaintiff-Appellant/Cross-Appellee submitted a stipulation for dismissal of its appeal, which was not approved without prejudice to a subsequent stipulation that complies with HRAP Rule 42(c). Therefore,

IT IS HEREBY ORDERED that the order filed on September 23, 2005, not approving Plaintiff-Appellant's stipulation for dismissal of appeal, is vacated.

IT IS FURTHER ORDERED that the stipulation to dismiss Plaintiff-Appellant's appeal, filed on September 23, 2005, is approved.

DATED: Honolulu, Hawai'i, September 29, 2005.


Associate Justice

