

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 29253

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

IN THE INTEREST OF A.W.

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S NO. 07-11470)NORMA T. YARA
CLERK, APPELLATE COURT
STATE OF HAWAII

2008 SEP 17 AM 9:22

FILED

ORDER DISMISSING APPEAL

(By: Foley, Presiding Judge, Fujise and Leonard, JJ.)

Upon consideration of the Motion to Dismiss Appeal filed by Petitioner-Appellee/Cross-Appellant Department of Human Services, the papers in support, and the records and files herein, it appears that: (1) on July 10, 2008, Father-Appellant filed a notice of appeal; (2) on August 25, 2008, Petitioner-Appellee/Cross-Appellant Department of Human Services filed a notice of appeal, which was docketed as a cross-appeal to Father-Appellant's appeal; and (3) in this motion, Petitioner-Appellee/Cross-Appellant Department of Human Services states it has decided not to go forward with its appeal and asks to withdraw its appeal. Therefore,

IT IS HEREBY ORDERED that Petitioner-Appellee/Cross-Appellant Department of Human Services's Motion to Dismiss its appeal is granted, and the cross-appeal is dismissed. Dismissal of the cross-appeal does not affect the appeal filed by Father-Appellant, and Father-Appellant's appeal remains pending.

DATED: Honolulu, Hawaii, September 17, 2008.


 Daniel R. Foley
 Presiding Judge


 Associate Judge


 Associate Judge