

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-18-0000428  
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NO. CAAP-18-0000428

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.  
ALFRED N. SPINNEY, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT  
(CR. NO. 3CPC-17-0000245)

ORDER DISMISSING APPEAL  
(By: Reifurth, Presiding Judge, Chan and Hiraoka, JJ.)

Upon consideration of Ivan Van Leer's April 19, 2019 declaration in response to the April 17, 2019 order to show cause, the papers in support, and the record, it appears that the criminal charges in the underlying case, Cr. No. 3CPC-17-0000245, and the related case, Cr. No. 3DCW-16-0001177, have been dismissed and the appeal is moot.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed. The court will take no further action on the April 17, 2019 order to show cause.

**NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER**

IT IS FURTHER ORDERED that the appellate clerk shall mail a copy of this order to Defendant-Appellant Alfred N. Spinney at his address on record.

DATED: Honolulu, Hawai'i, May 9, 2019.

*Lawrence M. Reilick*  
Presiding Judge

*Daniel A. Chin*  
Associate Judge

*Keith K. Hirooka*  
Associate Judge