

NO. CAAP-14-0000512

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

BRYAN ARTHUR, Petitioner-Appellee, v.  
MARIE CHANTAL CARPENTIER, Respondent-Appellant

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT  
(FC-DA NO. 13-1-0808)

SUMMARY DISPOSITION ORDER

(By: Leonard, Presiding Judge, and Reifurth and Ginoza, JJ.)

Respondent-Appellant Marie Chantal Carpentier, pro se, appeals from an Order for Protection, filed on February 7, 2014, in the Family Court of the Third Circuit ("Family Court").<sup>1/</sup> After a hearing, the Family Court issued the Order for Protection, pursuant to Hawaii Revised Statutes § 586-5.5 (2006), in favor of Petitioner-Appellee Bryan Arthur and against Carpentier.

On appeal, Carpentier appears to argue that the Family Court erroneously issued the Order for Protection based on insufficient evidence and on the basis that she was not given an adequate amount of time to prepare a defense. Despite being afforded an opportunity to file a late transcript request, no transcript requests were filed, and Carpentier has failed to include a transcript of the February 7, 2014 hearing on Arthur's Petition for an Order for Protection in the record on appeal. Without the transcript, this court has an inadequate basis upon

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<sup>1/</sup> The Honorable Anthony K. Bartholomew presided.

which to review Carpentier's points of error. See Hawai'i Rules of Appellate Procedure Rule 10(b)(1)(A); *State v. Hoang*, 93 Hawai'i 333, 336, 3 P.3d 499, 502 (2000) ("[This court] will not presume error from a silent record."); *Bettencourt v. Bettencourt*, 80 Hawai'i 225, 230, 909 P.2d 553, 558 (1995) ("The burden is upon appellant in an appeal to show error by reference to matters in the record, and he [or she] has the responsibility of providing an adequate transcript." (quoting *Union Bldg. Materials Corp. v. Kakaako Corp.*, 5 Haw. App. 146, 151, 682 P.2d 82, 87 (1984))).

Therefore, IT IS HEREBY ORDERED that the Order for Protection, filed on February 7, 2014, in the Family Court of the Third Circuit, is affirmed.

DATED: Honolulu, Hawai'i, October 30, 2015.

On the brief:

Marie Chantal Carpentier,  
Pro Se Respondent-Appellant.

Presiding Judge

Associate Judge

Associate Judge