NOS. CAAP-14-0000741, CAAP-14-0001307, AND CAAP-15-0000525

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAIʻI

JANE DOE, Plaintiff-Appellant, v.
JOHN DOE, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-D NO. 09-1-1674)

SUMMARY DISPOSITION ORDER
(By: Nakamura, C.J., and Reifurth and Ginoza, JJ.)

This appeal arises from a divorce between Plaintiff-Appellant Jane Doe ("Mother") and Defendant-Appellee John Doe ("Father") and a dispute over the custody of their minor child ("Child"). Specifically, this consolidated appeal arises out of a series of child custody orders that were issued by the Family Court of the First Circuit ("Family Court") following its Decision and Order of April 29, 2013, in which the Family Court awarded Father with sole-legal and joint-physical custody of the Child.

Mother appeals from the January 28, 2014 "Order Denying [Mother's] Motion for Post-Decree Relief, Filed on October 28, 2013 and Order Modifying Child Support"; the March 6, 2014 "Order Denying [Mother's] Motion for Reconsideration Regarding Order Denying [Mother's] Motion for Post-Decree Relief Filed 1/28/14";[1/] the October 23, 2014 "Order Denying [Mother's] HFCR Rule 60(b) Motion for Relief From the Court's April 29, 2013

[1/] The Honorable Kevin A. Souza presided over the January 28, 2014 and March 6, 2014 orders.

Post-Decree Decision and Order";[2/] the May 13, 2015 "Order Re: Motion for Post-Decree & Supplement to Motion for Post-Decree Relief"; and the June 25, 2015 "Order Denying [Mother's] Motion for Reconsideration Re: Denial of [Mother's] Motion for Post-Decree Relief and [Mother's] Supplemental Motion for Post-Decree Relief",[3/] all of which were entered by the Family Court.

On appeal, in case No. CAAP-14-0000741, Mother asserts that the Family Court erred when it denied: (1) her October 28, 2013 Motion and Declaration for Post-Decree Relief despite the fact that Mother met her burden of proving a material change of circumstances, and that a modification of legal and physical custody was in the best interest of the Child; and (2) her February 6, 2014 motion for reconsideration of the January 28, 2014 order because Mother showed good cause for her motion.

In case No. CAAP-14-0001307, Mother asserts that the Family Court erred when it found that Mother failed: (3a) to meet her burden of demonstrating fraud, misrepresentation, or other misconduct; and (3b) to show that she was denied due process of law.

Finally, in case No. CAAP-15-0000525, Mother asserts that the Family Court erred when it denied: (4) her December 1, 2014 Motion and Declaration for Post-Decree Relief despite the fact that Mother met her burden of proving a material change of circumstances, and that a modification of legal and physical custody was in the best interest of the Child; and (5) her May 22, 2015 motion for reconsideration of the May 13, 2015 order despite the fact that Mother showed good cause for her motion.

The Family Court's decisions and the briefing in these appeals occurred before the Hawai‘i Supreme Court's recent decision in *Waldecker v. O'Scanlon*, ___ P.3d ___, No. SCWC-14-0000780, 2016 WL 3364695 (Hawai‘i June 17, 2016). In *Waldecker*, the supreme court overturned case law which had required a person seeking a change in custody to satisfy two conditions: (a) that

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[2/] The Honorable Steven M. Nakashima presided over the October 23, 2014 order.

[3/] The Honorable Matthew J. Viola presided over the May 13, 2015 and June 25, 2015 orders.

there had been a material change in circumstances since the previous custody order; and (2) that the requested change of custody was in the best interest of the child. The supreme court held that a material change in circumstances is not required "before the court can consider the best interests of the child in modifying a custody order. *Rather than that two-step analysis, there is a single inquiry which focuses on the best interests of the child.*" *Id.* at *11 (emphasis added).

In this case, the Family Court denied Mother's requests for modification of the existing child custody order based on its dual determinations that (1) Mother had not shown a material change in circumstances, and (2) a modification of custody was not in the best interests of the Child. In light of *Waldecker*, we do not address Mother's challenges to the Family Court's determinations that she failed to show a material change in circumstances. Rather we focus on Mother's challenges to the Family Court's determination that the modification of custody was not in the Child's best interests.

Upon careful review of the record and the briefs submitted by the parties, and having given due consideration to the arguments they advance and the issues they raise, we resolve Mother's points of error as follows, and affirm:

(1) In her first point of error in case No. CAAP-14-0000741, Mother contends that the Family Court erred when it held that a material change of circumstances had not occurred, and it was in the Child's best interest to remain primarily with Father. Mother argues that the Family Court should have considered the factors in Hawaii Revised Statutes ("HRS") § 571-46(b) when it determined the Child's best interest, and that the Child's emotional and educational needs justified a change of custody in favor of Mother. Specifically, Mother asserts that she met her burden by demonstrating (a) that the Child was exhibiting "behavioral issues" at school, (b) the "questionable safety of [Father's] vehicle and/or the status of [Father's] driver's license and traffic record," and (c) the fact that she was no longer employed. These arguments are without merit.

Contrary to Mother's contentions, the Family Court did not err when it explicitly found in its June 12, 2014 Findings of Fact and Conclusions of Law and Order that "based upon the credible and reliable evidence, a modification of legal and physical custody is not in the best interest of the child." *Waldecker*, 2016 WL 3364695, at *11 (holding that the question for the court to consider in addressing a request for a change in child custody is "whether or not there has been such a change of circumstances that the modification will be for the [best interest] of the child." (quoting *Dela Cruz v. Dela Cruz*, 35 Haw. 95, 98 (1939))). Moreover, Mother points to nothing in the record that demonstrates that the Family Court did not consider HRS § 571-46(b) factors in coming to its conclusion that based on the evidence presented, a modification of legal and physical custody was not in the best interest of the Child, and we find none. Thus, we conclude that the Family Court considered HRS § 571-46(b) factors and did not abuse its discretion. *Cf. In re Doe*, 101 Hawai‘i 220, 232, 65 P.3d 167, 179 (2003) (citing *In re Doe Children*, 96 Hawai‘i 272, 286, 30 P.3d 878, 892 (2001)) (explaining that the appellate courts "give[] deference to decisions of the family court to issue orders that are in the best interests of a child").

(1)(a) Mother contends that Child's behavior at pre-school and elementary school after Father gained sole-legal and joint-physical custody of the Child constituted a material change in circumstance. Mother's argument is misplaced in light of *Waldecker*. Furthermore, the Family Court did not abuse its discretion in concluding that the school behavioral issues did not demonstrate that modification in custody was in the best interest of the Child.

Notably, the first "incident" at pre-school was not a behavioral incident, but a health related one as it involved the Child getting her finger stuck in a guinea pig cage. Additionally, the only indicia that the other two incidents at pre-school had anything to do with Father's custody or the amount of time Child spent with Mother was provided by Mother in her written response to the incident. Similarly, the incidents at elementary school did not indicate that modification would be in

the best interest of the child. Mother failed to include any reports of those incidents in her October 28, 2013 Motion and Declaration for Post-Decree Relief, and Father related that many of the Child's classmates were also struggling to adjust to the daily schedule, which did not include nap time, and that changes that were improving the children's behavior had been implemented.

Mother does not cite any authority in support of her argument, and we find none. Therefore, the Family Court did not err in concluding that Mother did not demonstrate that there has been such a change in circumstances that modification would be in the best interest of the Child. *Waldecker*, 2016 WL 3364695, at *11.

(1)(b) Mother contends that the Family Court erred when it concluded that Mother "failed to substantiate her concerns regarding the safety of Father's vehicle and/or the status of his driver's license" and that those allegations did not constitute a material change in circumstance. Again, Mother's argument is misplaced in light of *Waldecker*, and, furthermore, the Family Court did not abuse its discretion in concluding that these issues did not demonstrate that modification in custody was in the best interest of the Child.

Although we do not consider the transcript of the January 8, 2014 hearing,[4/] the record shows that Mother provided a printout of Father's traffic case regarding a citation for driving without a license in her October 28, 2013 Motion and Declaration for Post-Decree Relief. While Father may have been cited for driving without a license, that fact alone does not demonstrate that Father's car is unsafe, that Father is an unsafe

[4/] Mother attached the transcript for the January 8, 2014 hearing to her opening brief, but failed to include the transcript in the record on appeal. "[T]he 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." *In re RGB*, 123 Hawai‘i 1, 27, 229 P.3d 1006, 1092 (2010) (quoting *Bettencourt v. Bettencourt*, 80 Hawai‘i 225, 230, 909 P.2d 553, 558 (1995)). When an appellant attaches a transcript to the opening brief and fails to include it in the record on appeal, we disregard the transcript, as it is not part of the record. *See* Haw. R. App. P. 28(b)(10) ("Anything that is not part of the record shall not be appended to the brief, except as provided in this rule."). However, this court may still consider the appeal if "it is possible to determine that the [Family C]ourt erred without recourse to the transcript." *Thomas-Yukimura v. Yukimura*, 130 Hawai‘i 1, 10 n.19, 304 P.3d 1182, 1191 n.19 (2013). Thus, we proceed to review the appeal on the merits, to the extent possible.

driver, or that Child was in danger when Father drove. *Cf. J.F. v. J.F.*, No. CAAP-12-0000793, 2014 WL 4167013, at *2 (Hawai‘i App. Aug. 22, 2014) (holding that a material change of circumstances existed when, among other things, custodial parent was stopped for driving under the influence of alcohol when child was in the vehicle). Father provided a copy of his vehicle registration at the January 8, 2014 hearing, and the record indicates that Father's case for driving without a license was dismissed with prejudice. Thus, the Family Court did not err in finding that Mother failed to substantiate her allegations that Father's driving violations demonstrated that a modification in custody would be in the best interest of the Child. *Waldecker*, 2016 WL 3364695, at *11.

(1)(c) Mother argues that she demonstrated a material change in circumstance by being unemployed, and by declaring that she was able to spend more time with the Child. Mother's argument is misplaced in light of *Waldecker*, and, furthermore, the Family Court did not abuse its discretion in concluding that a modification in custody was not in the best interest of the Child.

Again, Mother does not cite to any authority supporting her position, and we can find none. Moreover, Father argued that Mother has high potential to earn income, and the Family Court agreed that Mother's unemployment did not warrant a change in custody. Thus, the Family Court did not err in concluding that a modification of custody was not in the Child's best interest.

(2) In her second point of error in case No. CAAP-14-0000741, Mother asserts that she met her burden of proof and showed good cause in her February 6, 2014 motion for reconsideration, in which she asked the court to reconsider its January 28, 2014 order denying the October 28, 2013 Motion and Declaration for Post-Decree Relief. Although this contention appears at the beginning of the opening brief's argument section, Mother fails to argue this point further. Thus, it is deemed waived. *See* Haw. R. App. P. 28(b)(7) ("Points not argued may be deemed waived."); *Kakinami v. Kakinami*, 127 Hawai‘i 126, 144 n.16, 276 P.3d 695, 713 n.16 (2012) (citing *In re Guardianship of Carlsmith*, 113 Hawai‘i 236, 246, 151 P.3d 717, 727 (2007)

explaining that "this court may 'disregard a particular contention if the appellant makes no discernible argument in support of that position'"). Moreover, even if Mother had sufficiently argued her point, this point of error lacks merit.

In her February 6, 2014 motion, Mother merely reiterated her arguments from her October 28, 2013 Motion and Declaration for Post-Decree Relief. As such, because Mother did not present new arguments or provide new evidence, the Family Court did not abuse its discretion in denying her February 6, 2014 motion for reconsideration. *See, e.g.*, *Child Support Enf't Agency v. Doe*, 104 Hawai‘i 449, 459, 91 P.3d 1092, 1102 (App. 2004) (affirming family court's denial of motion for reconsideration where the movant's only arguments had already been presented at the previous hearing and the movant failed to raise new evidence that could not have been presented during the earlier adjudicated motions).

(3) In her first and second points of error in case No. CAAP-14-0001307, Mother contends that the Family Court erred in denying her May 5, 2014 Hawai‘i Family Court Rules ("HFCR") Rule 60(b) motion for relief from the Decision and Order when it found (a) that Mother failed to meet her burden of demonstrating fraud, misrepresentation, or other misconduct; and (b) that Mother failed to show that she was denied due process of law. We discuss Mother's arguments in turn.

(3)(a) Mother argues that Father's attorney, Marianita Lopez, "made several deeply concerning misrepresentations to procure a favorable judgment for her client[,]" and that Lopez lied to the Family Court when she wrote in her May 2 and May 4, 2012 letters that there were no open spots for Child at Ka Hana Pono Daycare. Mother contends that Lopez's alleged conduct "clearly rises to the level of misrepresentation, if not fraud, under HRCP and HFCR Rule 60(b)(3)." We disagree.

In reviewing an HFCR Rule 60(b) motion,

> the movant must, (1) prove by clear and convincing evidence that the verdict was obtained through fraud, misrepresentation, or other misconduct, and (2) establish that the conduct complained of prevented the losing party from fully and fairly presenting his case or defense.

Plauche v. Plauche, No. CAAP-11-0000369, 2013 WL 275551, at *2

(Hawai‘i App. Jan. 24, 2013) (quoting *Kawamata Farms, Inc. v. United Agri. Prods.*, 86 Hawai‘i 214, 252, 948 P.2d 1055, 1093 (1997)) (brackets omitted).

Here, Mother did not prove that the Decision & Order was obtained through fraud, misrepresentation, or other misconduct, nor did she establish that the conduct complained of prevented her from fully and fairly presenting her case or defense.[5/] Lopez's statements in the May 2 and May 4, 2012 letters were not false or misleading. Thus, Mother did not establish that the Decision and Order was the result of misrepresentation, and the Family Court did not abuse its discretion in denying Mother's HFCR Rule 60(b) motion. *See Cvitanovich-Dubie v. Dubie*, 125 Hawai‘i 128, 145, 254 P.3d 439, 456 (2011) (holding that the moving party's "allegation of nondisclosure by an adverse party," could not support the movant's HFCR Rule 60(b)(3) motion (citing *Schefke v. Reliable Collection Agency, Ltd.*, 96 Hawai‘i 408, 431, 32 P.3d 52, 75 (2001))).

(3)(b) We also disagree with Mother's contention that she demonstrated in her HFCR Rule 60(b) motion that the Court deprived her of her constitutional right to due process of law by limiting her to presenting a single witness in her defense of the allegations in Father's February 8, 2012 motion for post-decree relief. In support, Mother cites to *Troxel v. Granville*, 530 U.S. 57, 66 (2000), in which the Supreme Court of the United States discussed the fundamental due process rights of parents to make decisions concerning the care, custody, and control of their

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[5/] The documents attached to Mother's HFCR Rule 60(b) motion for relief included a June 14, 2013 letter, wherein Angelica Friedmann, the director of Ka Hana Pono Daycare, stated that "[t]he fact that I have known Mrs. Lopez as a custody evaluator should not be misinterpreted to mean that Mrs. Lopez misrepresented herself when I spoke to her on May 2nd about [Child,]" and that her references to Lopez as a custody evaluator "would be the same as Mrs Lopez calling me a childcare provider and not the Director of the childcare center." The letter also explained that Father was told in late April 2012 that there were no openings for enrollment at Ka Hana Pono Daycare, and that Mother was also informed that there were no openings; however, the daycare created a spot for Child after speaking at length with Mother. Nonetheless, Friedmann wrote that Ka Hana Pono disenrolled Child when it discovered that Child's enrollment was based on a misunderstanding that both parties had agreed to the enrollment, and that Mother had, in fact, unilaterally enrolled Child in violation of a court order requiring the parties to agree on a preschool prior to enrolling the Child.

children. She also claims that she offered evidence of a Hawaii Department of Human Services investigation that would have been presented had she been given the opportunity to be heard in a meaningful manner. We find these arguments to be unpersuasive.

Although Mother argues that her due process rights were violated when she was only allowed to have one witness, she has failed to demonstrate that she ever requested to present additional witnesses. At the hearing on the HCFR Rule 60(b) motion, for example, the court explained the procedures Mother could have followed to request additional witnesses and asked if Mother could point to a place in the record demonstrating that she did so, but Mother could not.[6/]

Furthermore,"[t]he basic elements of procedural due process of law require notice and an opportunity to be heard at a meaningful time and in a meaningful manner," yet Mother has not established that she was deprived of these opportunities. *Citicorp Mortgage, Inc. v. Bartolome*, 94 Hawai‘i 422, 436, 16 P.3d 827, 841 (App. 2000) (explaining that "due process is flexible and calls for such procedural protections as the particular situation demands" (citing *Bank of Hawai‘i v.*

[6/] Mother failed to attach the complete transcripts from the April 27, August 3, and November 30, 2012 hearings on the February 8, 2012 motion for post-decree relief to the HFCR Rule 60(b) motion itself, and the portions from the April and August 2012 transcripts that were included did not contain evidence of any such request. On appeal, Mother also fails to include the transcripts from the April 27, August 3, or November 30, 2012 hearings, or point to anywhere in the record where she requested additional witnesses or was refused by the court. *See generally Kamaka v. Goodsill Anderson Quinn & Stifel*, 117 Hawai‘i 92, 114 n.23, 176 P.3d 91, 113 n.23 (2008) ("This court is not obligated to sift through the voluminous record to verify an appellant's inadequately documented contentions." (quoting *In re Guardianship of Carlsmith,* 113 Hawai‘i 211, 234–35, 151 P.3d 692, 715–16 (2007) (internal quotation marks and brackets omitted))).

Moreover, the minutes from those proceedings support the Family Court's findings, which we will not overturn in the absence of clear error. *In re Doe*, 95 Hawai‘i 183, 190, 20 P.3d 616, 623 (2001) (explaining that a family court's findings of fact on appeal are clearly erroneous only if there is no "credible evidence which is of sufficient quality and probative value to enable a person of reasonable caution to support" the finding (citations omitted)). Therefore, her argument fails. *See Union Bldg. Materials Corp. v. Kakaako Corp.*, 5 Haw. App. 146, 151-52, 682 P.2d 82, 87 (1984) ("An appellant must include in the record all of the evidence on which the lower court might have based its findings and if this is not done, the lower court must be affirmed."); *Jordan v. Adkins*, No. CAAP-13-0000011, 2015 WL 4167522, at *2 (Hawai‘i App. July 9, 2015) (citing *State v. Hoang*, 93 Hawai‘i 333, 336, 3 P.3d 499, 502 (2000)).

Kunimoto, 91 Hawai‘i 372, 388, 984 P.2d 1198, 1214 (1999))). Indeed, the Family Court found that the hearing on Father's February 8, 2012 motion for post-decree relief was put on the short trial calendar because Father wanted the proceeding to be expedited and Mother was planning on relocating to California. *See AC v. AC*, 134 Hawai‘i 221, 229, 339 P.3d 719, 727 (2014) (stating that "adherence to a time schedule must be tempered by the circumstances of the proceeding as it unfolds, since such circumstances cannot always be accurately predicted ahead of time," and that "[a] trial court has discretion to set reasonable time limits for trial" (quoting and citing *Doe v. Doe*, 98 Hawai‘i 144, 155, 156, 44 P.3d 1085, 1096, 1097 (2002))). And with regard to Mother's argument that she offered evidence of a Hawaii Department of Human Services investigation, Mother does not specify when the offer occurred, where in the record the alleged evidence was offered, or how the court failed to review such evidence in making its Decision & Order. Accordingly, we deem Mother's argument waived. *See* Haw. R. App. P. 28(b)(7); *Asato v. Procurement Policy Bd.*, 132 Hawai‘i 333, 354 n.22, 322 P.3d 228, 249 n.22 (2014) ("As a general rule, if a party does not raise an argument at trial, that argument will be deemed to have been waived on appeal[.]" (quoting *State v. Moses*, 102 Hawai‘i 449, 456, 77 P.3d 940, 947 (2003))).

Therefore, the Family Court did not clearly err in finding and concluding that Mother did not demonstrate fraud or a violation of due process, and did not abuse its discretion in denying Mother's HFCR Rule 60(b) motion.

(4) In her first point of error in case No. CAAP-15-0000525, Mother argues that the Family Court erred in concluding that she failed to show a material change in circumstance. Specifically, Mother contends that she met her burden by demonstrating three material changes: (a) "Father's DUI arrest and charges"; (b) "Father's lack of responsible care for the Child's safety in driving without a valid driver's license with the Child in the car"; and (c) Father's "gross abuse of process . . . to the detriment of the Child's emotional and physical wellbeing [sic] as well as the Child's relationship with Mother."

As above, Mother's argument is misplaced in light of

Waldecker. Contrary to Mother's contentions, the Family Court did not err when it found and concluded in its August 4, 2015 Findings of Fact and Conclusions of Law that Mother failed to show that the change of custody she sought in her motion was in the best interest of her child. *Waldecker*, 2016 WL 3364695, at *11.

(4)(a) Mother contends that she has provided "an abundance of evidence of Father's yet-unchecked substance abuse issues," which includes a DUI charge that occurred after Father gained custody of the Child, and that the court erred in finding that "there was an insufficient basis to order Father to undergo a substance abuse assessment and treatment." In support, Mother cites to *J.F.*, in which this court concluded that a change of custody was in the best interests of the child because in addition to mother being stopped for driving under the influence with the child in the car, testimony of a custody evaluator raised concerns over an uncle who recently moved in with mother and child, had significant problems, and allegedly sexually assaulted the child. 2014 WL 4167013, at *3. Mother also claims that it is likely that Child has been in the car at least once while Father was driving under the influence. We disagree with Mother's contention that the Family Court erred.

Child was not in the car when Father was stopped for driving under the influence, and the record shows that Father's DUI arrest was dismissed without prejudice. Therefore, the Family Court did not abuse its discretion in finding that there was an insufficient basis to order Father to undergo a substance abuse assessment and treatment, *In re Doe*, 107 Hawai‘i at 19, 108 P.3d at 973, and later concluding that the DUI citation did not show that the requested change of custody was in the best interests of the Child. *Doe*, 98 Hawai‘i at 153, 44 P.3d at 1094.

(4)(b) Mother reiterates her argument from case No. CAAP-14-000741, that the Family Court erred in concluding that Mother did not demonstrate a material change in circumstances given the evidence she provided on Father's history of driving without a license with Child in the car. Re-focusing on the issue of the Child's best interest, however, besides Father's DUI arrest, discussed above, the record does not reflect that Mother

provided any additional evidence of Father's unsafe driving since she made the argument in case No. CAAP-14-000741. Thus, Mother fails to establish that Child's best interest required modification of custody and the court did not err.

(4)(c) Mother argues that Father's "repeated and significant abuse of process" is a significant change in circumstance that affects both the Child and the Mother-Child relationship. Mother also claims that Father abused his custodial rights when he refused to allow Child to engage in family therapy with Mother. Mother fails to cite to any authority supporting her position, and we find none. Moreover, in one of its unchallenged findings, the Family Court stated that Father "credibly" testified that on the recommendation of Catholic Charities, the Child was placed in play therapy with Kimberly Brewer, licensed therapist, once per week. *See generally, In re Doe*, 107 Hawai‘i at 19, 108 P.3d at 973. Accordingly, we hold that the Family Court did not err in finding and concluding that Mother did not demonstrate that the alleged abuse of process demonstrated that a modification of custody was in the best interest of the Child.

(5) In her second point of error in case No. CAAP-15-0000525, Mother presents another almost identical assertion to the one made in case No. CAAP-14-0000741. Here, she again asserts that she met her burden of proof and showed good cause in her May 22, 2015 motion for reconsideration, but fails to provide supporting argument for this point. As previously discussed, in the absence of a supporting argument, this point of error is waived. *See* Haw. R. App. P. 28(b)(7).

In her May 22, 2015 motion for reconsideration, Mother reiterated her arguments from the December 1, 2014 Motion and Declaration for Post-Decree Relief, and attached exhibits which either could have been presented at an earlier hearing, or provided no support for her allegations. Accordingly, because Mother did not present new arguments or provide new evidence that could not have been presented at the time of the original proceeding, the Family Court did not abuse its discretion in denying the May 22, 2015 motion. *See, e.g.*, *Child Support Enf't Agency*, 104 Hawai‘i at 459, 91 P.3d at 1102.

Therefore, we affirm the January 28, 2014 "Order Denying [Mother's] Motion for Post-Decree Relief, Filed on October 23, 2013 and Order Modifying Child Support," the March 6, 2014 "Order Denying [Mother's] Motion for Reconsideration Regarding Order Denying [Mother's] Motion for Post-Decree Relief Filed 1/28/14," the October 23, 2014 "Order Denying [Mother's] HFCR Rule 60(b) Motion for Relief From the Court's April 29, 2013 Post-Decree Decision and Order", the May 13, 2015 "Order Re: Motion for Post-Decree Relief and Supplement to Motion for Post-Decree Relief"; and the June 25, 2015 "Order Denying [Mother's] Motion for Reconsideration Re: Denial of [Mother's] Motion for Post-Decree Relief and [Mother's] Supplemental Motion for Post-Decree Relief", entered in the Family Court of the First Circuit.

DATED: Honolulu, Hawai‘i, June 30, 2016.

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