

NO. CAAP-20-0000314

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

DB, Plaintiff-Appellant, v.  
BB, Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT  
(FC-D NO. 07-1-0864)

ORDER DISMISSING APPEAL

(By: Chan, Presiding Judge, Hiraoka and Wadsworth, JJ.)

Upon review of the record, it appears that:

(1) On 4/27/20, self-represented Plaintiff-Appellant DB (**Appellant**) submitted to the circuit court a statement of jurisdiction, which the circuit court clerk construed as a notice of appeal, without paying the fees required by Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 3(a);

(2) On April 28, 2020, the circuit court clerk electronically filed the notice of appeal, to create the appeal in CAAP-20-0000314. The same day, the circuit court clerk mailed Appellant a notice that, among other things, Appellant is required to pay the filing fees, claim an exemption, or request a fee waiver on or before May 8, 2020, or the appeal could be dismissed;

(3) On July 9, 2020, the appellate clerk entered a default of the record on appeal, informing Appellant that the time to docket the appeal expired on June 29, 2020, she had not paid the filing fees, the record on appeal cannot be prepared

without payment of the fees or an order allowing her to proceed on appeal *in forma pauperis*, the matter would be brought to the court's attention on July 19, 2020, for action that may include dismissal of the appeal, and that she could seek relief from default by motion;

(4) Appellant took no further action in this appeal;  
and

(5) An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed *in forma pauperis*. HRAP Rule 11(b)(2), (c)(2).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, September 24, 2020.

/s/ Derrick H.M. Chan  
Presiding Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge