

NO. CAAP-19-0000604

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LINDA KAM LING LAM, Trustee of the Eric Po Min Lam Revocable
Living Trust, by her Managing Agent, Ericson Lam,
Plaintiff-Appellee, v.
DAVID JENKINS and CHARLOTTE BOYD,
Defendants-Appellants

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1RC19-1-5040)

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Wadsworth and Nakasone, JJ.)

Upon review of the record, it appears that:

(1) On October 7, 2021, the court issued an order to show cause to self-represented Defendants-Appellants David Jenkins (Jenkins) and Charlotte Boyd (collectively, Appellants) to demonstrate, within ten days from the order, why the appeal should not be dismissed for failure to participate in the appeal. The court cautioned Appellants that failure to timely respond to the order or to show good cause may result in sanctions, including, without limitation, the appeal being dismissed; and

(2) Appellants did not respond to the October 7, 2021 order to show cause, and took no further action in this appeal.¹

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

IT IS FURTHER ORDERED that the court will take no further action on the June 9, 2021 order to show cause, and all pending motions are dismissed.

DATED: Honolulu, Hawai'i, November 10, 2021.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Karen T. Nakasone
Associate Judge

¹ The court takes judicial notice of bankruptcy court documents filed here by Jenkins on January 30, 2020, as well as documents filed in the United States Bankruptcy Court, District of Hawaii, in which the bankruptcy court entered an order dismissing Jenkins' Chapter 7 bankruptcy case, No. 19-01233, on October 25, 2019. See Hawaii Rules of Evidence Rule 201. It thus appears that the bankruptcy stay has been terminated. See 11 U.S.C. § 362(a)(1) (2010); Hawai'i Rules of Appellate Procedure Rules 2 & 54(c).