

NO. CAAP-22-0000576

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

LIGAYA NAVASCA and RAYMOND SEBASTIAN, Plaintiffs-Appellees, v.
ROBERT ROSS, Defendant-Appellant, and
PAUL HAYCRAFT; DAVID YAMADA; WALTER SERGENT; and GENE SORDILLA,
Defendants-Appellees

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CIVIL NO. 1DRC-21-10106)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before November 21, 2022, and December 19, 2022, respectively;

(2) Self-represented Defendant-Appellant Robert Ross (Ross) failed to file either document, or request an extension of time;

(3) On January 20, 2023, the appellate clerk entered a default notice informing Ross that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on January 30, 2023, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure (HRAP) Rules 12.1(e) and 30, and Ross could request relief from default by motion;

(4) The appellate clerk mailed the notice of entering case on calendar and the default notice to Ross at his addresses on record in this appeal and they were returned as undeliverable;

(5) HRAP Rule 25(f) requires a self-represented party, within 10 days of any change in mailing address, to file a notice of change of address with the appellate clerk; and

(6) Ross has not filed a notice of change of address, and Ross took no further action in this appeal.

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

DATED: Honolulu, Hawai'i, May 19, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Derrick H.M. Chan
Associate Judge