

**Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000848
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NO. CAAP-24-0000848

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

RAYLANI F. LUPTON, Petitioner-Appellee, v.
KEITH D. KARDASH, Respondent-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CIVIL NO. 1DSS-23-0000865)

ORDER DISMISSING APPEAL

(By: Leonard, Acting Chief Judge, Hiraoka and McCullen, JJ.)

Upon review of the record, it appears that:

(1) On December 25, 2024, self-represented Respondent-Appellant Keith Kardash (**Kardash**) filed a notice of appeal;

(2) On January 2, 2025, the district court denied Kardash's request to waive the appellate filing fees;

(3) On March 6, 2025, this court denied Kardash's January 5, 2025 motion to waive appellate filing fees filed in this court;

(4) The record on appeal was due on or before February 28, 2025, see Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 11(b)(1), but was not filed because Kardash failed to pay the filing fees or obtain a fee waiver;

(5) On March 14, 2025, the appellate clerk entered a default of the record on appeal, informing Kardash that the time to docket the appeal had expired, Kardash had not paid the filing fees or obtained an order allowing Kardash to proceed on appeal *in forma pauperis*, the matter would be brought to the court's attention on March 24, 2025, for action that may include

dismissal of the appeal, and Kardash could seek relief from default by motion; and

(6) Kardash has not taken any further action in this appeal. 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, May 14, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge