

**Electronically Filed
Intermediate Court of Appeals
CAAP-22-0000483
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NO. CAAP-22-0000483

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

BERT YAMAMOTO, by his Managing Agent, IVY K. REALTY, LLC,
Plaintiff-Appellee, v.
ELENA L. MANGINSAY and BRUCE L. JOHNSON,
Defendants-Appellants.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
'EWA DIVISION
(CASE NO. 1DRC-22-0003231)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On March 18, 2025, the court ordered that within ten days from the order, self-represented Defendants-Appellants Elena L. Manginsay and Bryce L. Johnson (together, **Appellants**) shall (a) either pay the filing fee in the full amount to the Supreme Court Clerk's Office, or file a motion for leave to proceed on appeal *in forma pauperis* that complies with Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 24(a); and (b) show cause, in the form of a declaration, affidavit, or other sworn statement, indicating why the appeal should not be dismissed as moot. The court cautioned Appellants that failure to comply with the order may result in the appeal being dismissed;

(2) The appellate clerk mailed the March 18, 2025 order to Appellants at their address on record but it was returned as not deliverable and unable to forward; and

(3) Appellants did not respond to the March 18, 2025 order, and have not paid the filing fee or obtained a fee waiver

for this appeal, resulting in no record on appeal being filed. Appellants also failed to file a notice of change of address. See HRAP Rule 25(f). 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, June 27, 2025.

/s/ Katherine G Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge