

**Electronically Filed
Intermediate Court of Appeals
CAAP-25-0000206
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NO. CAAP-25-0000206

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

MARK ZIEBOLD, Plaintiff-Appellee, vs.
JAMES BUI AND DIANA BUI-NGUYEN, Defendants-Appellants.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
PUNA DIVISION
(CIVIL NO. 3DRC-24-0000850)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On March 20, 2025, self-represented Defendants-Appellants Diana Bui and James Bui (collectively, **Appellants**) filed a notice of appeal.

(2) The record on appeal was due on or before May 19, 2025, see Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 11(b)(1), but was not filed because Appellants failed to pay the filing fees or obtain a fee waiver.

(3) On May 21, 2025, the appellate clerk entered a default of the record on appeal, informing Appellants that the time to docket the record on appeal had expired, Appellants had not paid the filing fees, the record on appeal cannot be prepared and filed without full payment of all fees or an order allowing Appellants to proceed on appeal *in forma pauperis*, the matter would be brought to the court's attention on June 2, 2025 for action that may include dismissal of the appeal, and Appellants could seek relief from default by motion.

(4) Appellants have 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, June 25, 2025.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge