

**Electronically Filed
Intermediate Court of Appeals
CAAP-25-0000475
02-OCT-2025
08:05 AM
Dkt. 21 OGMD**

NO. CAAP-25-0000475

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

KEALIIIOKEKAI BERTELMANN, Plaintiff-Appellee,
v.
JAY DEE (BJ) PENN, III, Defendant-Appellant.

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CASE NO. 3CCV-25-0000022)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Wadsworth, Presiding Judge, McCullen and Guidry, JJ.)

Upon consideration of Defendant-Appellant Jay Dee (BJ) Penn, III's September 22, 2025 "Notice of Voluntary Dismissal of Appeal," which the court construes as a motion to dismiss appeal (**Motion**), the papers in support, and the record,

IT IS HEREBY ORDERED that the Motion is granted and the appeal is dismissed. The parties shall bear their own fees and costs.

DATED: Honolulu, Hawaii, October 2, 2025.

/s/ Clyde J. Wadsworth
Presiding Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge