

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-25-0000379  
22-DEC-2025  
08:12 AM  
Dkt. 14 OGMD**

NO. CAAP-25-0000379

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

THOMAS P. FLORES II, Plaintiff-Appellant,  
v.  
GLENN S. PAGE; SAFEWAY INC., Defendants-Appellees.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT  
(CIVIL NO. 1CCV-24-0001353)

ORDER GRANTING MOTION TO DISMISS APPEAL

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

Upon consideration of *Defendants-Appellees Safeway, Inc. and Glenn S. Page's Motion to Dismiss Appeal* filed on November 24, 2025 by Defendants-Appellees Safeway, Inc. and Glenn S. Page (collectively, Appellees) and self-represented Plaintiff-Appellant Thomas P. Flores II's (Flores) *Opposition to Defendants-Appellees Safeway Inc. and Glenn S. Page's Motion to Dismiss Appeal*, filed on December 8, 2025, the papers in support and opposition, and the record, it appears that:

(1) Flores filed the notice of appeal in this matter on April 25, 2025, and pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 11(b)(1), the record on appeal was due to be filed on June 24, 2025;

(2) On July 10, 2025 the appellate clerk entered a default of record on appeal, informing Flores that the time for docketing the record on appeal expired on June 24, 2025, the appellate filing and docketing fees of \$315.00 had not been paid, the record cannot be prepared and filed without payment of the fees or an order allowing Flores to proceed *in forma pauperis*,

the matter would be brought to the court's attention on July 20, 2025 for action that may include dismissal of the appeal, and Flores could request relief from default by motion;

(3) On November 24, 2025, Appellees filed a motion to dismiss the appeal, stating that more than four months had passed since the appellate clerk's default notice, Flores had not paid the required filing fees or obtained an order allowing him to proceed *in forma pauperis*, and he has not moved for relief from default;

(4) On December 8, 2025, Flores filed an opposition to Appellees' motion to dismiss appeal, but did not address the failure to pay the fees or the failure to request to proceed *in forma pauperis*. Flores also did not request relief from default; and

(5) 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 Rules 11(b)(2), 11(c)(2).

Therefore, IT IS HEREBY ORDERED that Appellees' motion to dismiss is granted, and the appeal is dismissed.

DATED: Honolulu, Hawai'i, December 22, 2025.

/s/ Keith K. Hiraoka  
Presiding Judge

/s/ Sonja M.P. McCullen  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge