

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-25-0000398  
22-DEC-2025  
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NO. CAAP-25-0000398

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

DONNA J. WALDEN, as Trustees under that  
unrecorded Donna J. Walden Revocable Living Trust  
dated September 14, 1998, and GIAMPAOLO BOSCHETTI,  
Plaintiffs-Appellees,  
v.

DEVITA LUCYANA dba MINA HINE and  
NAWELU NAKAI EHIKU, LLC, A HAWAII LIMITED LIABILITY COMPANY  
Defendants-Appellants.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
(CASE NO. 1DRC-24-0010428)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On April 21, 2025, self-represented Defendant-Appellant Devita Lucyana dba Mina Hine (Lucyana) and Defendant-Appellant Nawelu Nakai Ehiku, LLC (Nawelu Nakai Ehiku), a Hawaii Limited Liability Company (collectively, Appellants) filed a notice of appeal with the Hawai'i Supreme Court in SCPW-25-0000366. On May 7, 2025, the supreme court issued an order dismissing the petition, and ordered the appellate clerk to file the Appellants' notice of appeal and accompanying documents as an appeal to the Hawai'i Intermediate Court of Appeals (**ICA**);

(2) The notice of appeal was filed with the ICA on May 7, 2025;

(3) On May 15, 2025, the appellate clerk entered a Notice of Non-Payment, informing Lucyana the filing fees due upon

submission of the notice of appeal had not been paid, that payment in the amount of \$285.00 was due on or before May 25, 2025, and that failure to pay the filing fees or file a motion to proceed *in forma pauperis* by the due date would be brought to the court's attention for appropriate action, which could result in dismissal of the appeal;

(4) Pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 11(b)(1) the record on appeal was due on or before July 7, 2025, but was not filed because Appellants failed to pay the filing fees or obtain a fee waiver;

(5) On August 13, 2025, the appellate clerk entered a *Default of Record on Appeal*, informing Appellants that the time to docket the appeal had expired, Appellants had not paid the filing fee or obtained a fee waiver, the matter would be brought to the court's attention on August 23, 2025 for action which may include dismissal of the appeal, and that Appellants may request relief from default by motion;

(6) Appellants have not paid the filing fees and 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 appellants failed to pay the required fees or obtain a fee waiver. HRAP Rules 11(b)(2), 11(c)(2);

(7) Further, because limited liability companies must be represented by legal counsel in litigation, and Nawelu Nakai Ehiku is not so represented, its appeal is also dismissed on that independent basis. Kailua 50 LLC v. Ichida Kemp, NO. CAAP-19-0000799, 2020 WL 429323, at \*1 (Haw. App. Jan. 28, 2020).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

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

/s/ Clyde J. Wadsworth  
Presiding Judge

/s/ Sonja M.P. McCullen  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge