

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-25-0000430  
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NO. CAAP-25-0000430

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

LEO CADIZ and FLORENCIA CADIZ as Co-Trustees of the  
JOSUE B. CADIZ AND LEONARDA V. CADIZ REVOCABLE LIVING TRUST  
DECLARATION DATED MAY 29, 1993, Plaintiffs/Counterclaim  
Defendants-Appellees,

v.

ALEX CADIZ, Defendant/Counterclaimant/  
Third-Party Plaintiff-Appellant, and  
ERNESTO BASCONCILLO, and LEONILA C. BASCONCILLO,  
Defendants/Counterclaimants/Third-Party Plaintiffs-Appellees, and  
LEA CADIZ, LEANNE CADIZ, LENNY CADIZ and LINDSEY CADIZ,  
Third-Party Defendants-Appellees, and  
JOHN DOES 1-5, JANE DOES 1-5, DOE CORPORATIONS 1-5,  
DOE PARTNERSHIPS 1-5, DOE CORPORATIONS 1-5 and  
DOE LIMITED LIABILITY COMPANIES 1-5, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT  
(CASE NO. 5CCV-22-0000016)

ORDER DISMISSING APPEAL

(By: Nakasone, Chief Judge, McCullen and Guidry, JJ.)

Upon review of the record, it appears that:

(1) Self-represented Defendants-Appellants Alex Cadiz, Ernesto Basconcillo, and Leonila C. Basconcillo's (collectively, **Appellants**) filed the notice of appeal in this matter on June 2, 2025. The record on appeal was filed on July 29, 2025. The statement of jurisdiction and opening brief were due, without extension, on August 8, 2025 and September 8, 2025, respectively. Hawai'i Rules of Appellate Procedure (HRAP) Rules 12.1(a), 28(b).

(2) On August 11, 2025, Appellants filed *Alex Cadiz, Ernesto Basconcillo, and Leonila C. Basconcillo's Motion for Extension of Time to File Jurisdictional Statement and to Retain New Counsel*, which requested an extension to November 6, 2025 to file the statement of jurisdiction, but did not request an extension of time to file the opening brief. On September 19, 2025, the court granted an extension of time until October 7, 2025 to file the statement of jurisdiction.

(3) On October 9, 2025, the appellate clerk entered a default of the statement of jurisdiction and opening brief, stating the time for filing the statement of jurisdiction expired on October 7, 2025; the time for filing the opening brief expired on September 8, 2025; the matter would be called to the court's attention on October 20, 2025 for action that could include dismissal, pursuant to HRAP Rules 12.1(e) and 30; and that Appellants could seek relief from default by motion.

(4) Appellants have failed to file the statement of jurisdiction and the opening brief, and have not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, January 2, 2026.

/s/ Karen T. Nakasone  
Chief Judge

/s/ Sonja M.P. McCullen  
Associate Judge

/s/ Kimberly T. Guidry  
Associate Judge