

**Electronically Filed
Intermediate Court of Appeals
CAAP-25-0000648
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NO. CAAP-25-0000648

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

RUBEN ROYCE, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CASE NO. 1CPN-25-0000011; CR. NO. 1PC061001184)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) Petitioner-Appellant Ruben Royce (**Royce**) filed the notice of appeal in this matter on September 22, 2025.

(2) On October 10, 2025, the appellate clerk entered a *Notice of Non-Payment*, informing Royce the filing fees due upon submission of the notice of appeal had not been paid; that payment in the amount of \$315.00 was due on or before October 23, 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.

(3) Pursuant to Hawai'i Rules of Appellate Procedure (HRAP) Rule 11(b) (1) the record on appeal was due on or before November 21, 2025, but was not filed because Royce failed to pay the filing fees or obtain a fee waiver.

(4) On November 25, 2025, the appellate clerk entered a *Default of Record on Appeal*, stating the time for docketing the record on appeal had expired; Royce had not paid the filing fee

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or obtained a fee waiver; the matter would be brought to the court's attention on December 5, 2025 for action that could include dismissal of the appeal; and that Royce could request relief from default by motion.

(5) Royce has not paid the filing fees and has 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 a fee waiver. HRAP Rules 11(b) (2), 11(c) (2).

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

DATED: Honolulu, Hawai'i, January 5, 2026.

/s/ Karen T. Nakasone
Chief Judge

/s/ Sonja M.P. McCullen
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge