

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-24-0000378

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

DEBRA A. WEEKS, Plaintiff-Appellee, v.
EUGENE WARNER, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH & SOUTH HILO DIVISION
(CASE NO. 3DRC-24-0001042)

ORDER DISMISSING APPEAL

(By: Nakasone, Chief Judge, Leonard and Wadsworth, JJ.)

Upon review of the record, it appears that:

(1) On July 21, 2025, the court ordered self-represented Defendant-Appellant Eugene **Warner** to, by no later than August 4, 2025, conventionally serve self-represented Plaintiff-Appellee Debra A. Weeks with the Opening Brief via U.S. Mail and file a certificate of service indicating the date, mailing address, and manner in which the service was completed;

(2) The July 21, 2025 Order further warned that failure to comply may result in sanctions, including dismissal of the appeal;

(3) Warner failed to comply with the July 21, 2025 Order;

(4) On August 19, 2025, the court ordered Warner to, by no later than August 26, 2025, show cause, in a written declaration or affidavit, explaining why the appeal should not be dismissed for failure to serve the Opening Brief and for failure to file a certificate of service so indicating; and

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(5) Warner failed to show cause, and to date, he has not filed a certificate of service indicating completion of service of the Opening Brief.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed. Hawai'i Rules of Appellate Procedure Rules 28(a), 30.

DATED: Honolulu, Hawai'i, February 3, 2026.

/s/ Karen T. Nakasone
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge