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Intermediate Court of Appeals  
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NO. CAAP-25-0000554

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

CAPITAL ONE, N.A., Plaintiff-Appellee,  
v.  
ASHLEY C. TIBUNSAI, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
(CASE NO. 1DRC-22-0007775)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Nakasone, Chief Judge, Wadsworth and Gluck, J.)

Upon consideration of Plaintiff-Appellee Capital One, N.A.'s (**Capital One**) May 5, 2026 "Motion to Dismiss Appeal Filed on 08/07/25 [Dkt. 1]," the papers in support, the record, and there being no opposition filed, it appears that:

(1) The statement of jurisdiction and opening brief were due October 3, 2025, and January 6, 2026, respectively;

(2) Self-represented Defendant-Appellant Ashley C. Tibunsay (**Tibunsay**) failed to file either document or request an extension of time;

(3) On January 14, 2026, the appellate clerk entered a default notice informing Tibunsay that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on January 26, 2026, for appropriate action, which could include dismissal of the appeal under Rules 12.1(e) and 30, Hawai'i Rules of Appellate Procedure, and Tibunsay could request relief from default by motion;

(4) Tibunsay was electronically served with the default notice;

(5) Tibunsay has not taken any corrective action;

(6) Capital One seeks dismissal of the appeal on this basis; and

(7) Due to Tibunsay's default, the court will grant the request.

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

DATED: Honolulu, Hawai'i, June 23, 2026.

/s/ Karen T. Nakasone  
Chief Judge

/s/ Clyde J. Wadsworth  
Associate Judge

/s/ Daniel M. Gluck  
Associate Judge