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Intermediate Court of Appeals  
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NO. CAAP-26-0000084

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

KYLE SIMMONS, Plaintiff-Appellee,  
v.  
DONNIE (DONALD) SAVICKY, Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
PUNA DIVISION  
(CASE NO. 3DRC-25-0001217)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

- (1) The statement of jurisdiction and opening brief were due on or before April 6, 2026, and June 3, 2026, respectively;
- (2) Self-represented Defendant-Appellant Donnie (Donald) Savicky (**Savicky**) failed to file either document;
- (3) On May 4, 2026, Savicky filed a motion requesting an extension of 14 days "to complete and file the required response";

(4) On May 14, 2026, the court denied the motion without prejudice to Savicky filing a motion that identified the document filed in this appeal for which he sought an extension of time to file a response;

(5) Savicky did not file another motion for extension;

(6) On June 17, 2026, the appellate clerk entered a default notice informing Savicky 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 June 29, 2026, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Savicky could request relief from default by motion; and

(7) Savicky has not taken any further action in this appeal since filing the May 4, 2026 motion.

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

DATED: Honolulu, Hawai'i, June 30, 2026.

/s/ Karen T. Nakasone  
Chief Judge

/s/ Clyde J. Wadsworth  
Associate Judge

/s/ Daniel M. Gluck  
Associate Judge