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Intermediate Court of Appeals
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NO. CAAP-25-0000105

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

DEPARTMENT OF FINANCE, COUNTY OF KAUAI,
Plaintiff/Counterclaim Defendant-Appellee,

v.

PIERRE A. PLOTKINS, an Individual,
Defendant/Counterclaimant-Appellant,
and JOHN DOES 1-10 and JANE DOES 1-10, Defendants.

APPEAL FROM THE CIRCUIT COURT OF THE FIFTH CIRCUIT
(CASE NO. 5CCV-22-0000086)

SUMMARY DISPOSITION ORDER

(By: Leonard, Presiding Judge, Wadsworth and McCullen, JJ.)

Self-represented Defendant/Counterclaimant-Appellant
Pierre A. **Plotkins** appeals from the Circuit Court of the Fifth
Circuit's January 31, 2025 **Writ of Possession**.¹

Upon careful review of the record and the briefs
submitted by the parties, and having given due consideration to

¹ The Honorable Kathleen N.A. Watanabe presided.

the issues raised and the arguments advanced, we resolve this appeal as discussed below and affirm.

We first note that Plotkins's opening brief does not comply with Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 28. Importantly, Plotkins does not present any points of error, corresponding arguments, or record citations. See HRAP Rules 28(b)(4), -(7) (requiring opening briefs to contain a "concise statement of the points of error set forth in separately numbered paragraphs" and an "argument, containing the contentions of the appellant . . . with citations to the authorities, statutes and parts of the record relied on").

Nonetheless, to promote access to justice, we liberally interpret a self-represented litigant's briefs and do not automatically foreclose them from appellate review because they fail to comply with court rules. Erum v. Llego, 147 Hawai'i 368, 380-81, 465 P.3d 815, 827-28 (2020). We thus address Plotkins's arguments to the extent we can discern. But, to the extent we can discern, Plotkins's arguments appear to challenge the circuit court's December 20, 2024 **Final Judgment** over which we have no jurisdiction.

In October 2022, the Department of Finance, **County of Kaua'i** filed a complaint in the circuit court requesting sale of Plotkins's property at Lokelani Road in Kapa'a (**the Lokelani Property**), as Plotkins owed the County of Kaua'i over \$65,000.00

in property taxes. In March 2023, Plotkins filed a counterclaim contesting the circuit court's jurisdiction and raising constitutional issues.

In September 2024, the commissioner appointed to sell the Lokelani Property reported that the winning bid was \$610,000.00 and recommended the circuit court confirm the sale. The circuit court confirmed the sale and ordered \$90,609.85 be paid to the County of Kaua'i for the unpaid property taxes and assessments, as well as related penalties, interest, and fees; an additional \$7,700.00 be paid to the County of Kaua'i for reasonable attorney's fees; \$5,046.47 be paid to the commissioner for reasonable fees and expenses; and the remaining balance be dispersed to Plotkins.

On December 20, 2024, the circuit court entered the Final Judgment in favor of the County of Kaua'i and against Plotkins. Plotkins did not appeal from the Final Judgment.

On January 31, 2025, the circuit court entered the Writ of Possession, ordering that Plotkins and his belongings be removed from the Lokelani Property.

On February 24, 2025, 66 days after entry of the Final Judgment and 24 days after the entry of the Writ of Possession, Plotkins filed a notice of appeal. See HRAP Rule 4(a)(1) ("When a civil appeal is permitted by law, the notice of appeal shall

be filed within 30 days after entry of the judgment or appealable order."). Plotkins stated he was appealing "from the Foreclosure Default Judgment, Writ of Possession, filed, herein on January 31st, 2025, and attached hereto as Exhibit 'A'." Exhibit A consisted only of the January 31, 2025 Writ of Possession.

The County of Kaua'i moved to dismiss the appeal for lack of jurisdiction, explaining that Plotkins failed to timely appeal from the Final Judgment. This court denied the motion because Plotkins was appealing from the Writ of Possession, not the Final Judgment.

Plotkins's opening brief, however, makes no discernible argument related to the Writ of Possession. Plotkins refers to the "[w]rongful foreclosure" and states that the County of Kaua'i "does not have the authority to sell at less than appraised value any property." Plotkins further states, "The default judgment, is a travesty, and should be declared 'Null and Void'." In his reply brief, Plotkins asserts, "The scope of the appeal cannot be limited to the writ of possession." We do not have jurisdiction to address arguments related to the Final Judgment. And because Plotkins does not

raise any points of error specific to the Writ of Possession,
there is no point of error for this court to resolve.

Based on the foregoing, we affirm the circuit court's
January 31, 2025 Writ of Possession.

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

On the briefs:	/s/ Katherine G. Leonard Presiding Judge
Pierre A. Plotkins, Self-represented Defendant/Counterclaimant- Appellant.	/s/ Clyde J. Wadsworth Associate Judge
Mark L. Bradbury, Deputy County Attorney, County of Kaua'i, for Plaintiff/Counterclaim Defendant-Appellee.	/s/ Sonja M.P. McCullen Associate Judge