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Intermediate Court of Appeals
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NO. CAAP-26-0000415

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

JULIA ANN ALOS, Petitioner-Appellee,
v.
CYRIL DEL CRUISE, Respondent-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
SOUTH KOHALA DIVISION
(CASE NO. 3DSS-26-0000175)

ORDER DISMISSING APPEAL

(By: Hiraoka, Presiding Judge, Wadsworth and Gluck, JJ.)

Upon review of the record, it appears that:

(1) On May 27, 2026, self-represented Respondent-Appellant Cyril Del Cruise (**Del Cruise**) filed the notice of appeal in this case;

(2) On June 8, 2026, the district court clerk notified Del Cruise that the filing fees had not been paid, and cautioned Del Cruise that failure to pay the fees or obtain a waiver may result in the appeal being dismissed;

(3) The record on appeal was due on or before July 27, 2026, see Hawai'i Rules of Appellate Procedure (**HRAP**)

Rule 11(b)(1), but was not filed because Del Cruise failed to pay the filing fees or obtain a fee waiver;

(4) On July 29, 2026, the appellate clerk entered a default of the record on appeal, informing Del Cruise that the time to docket the appeal had expired, Del Cruise had not paid the filing fees or obtained an order allowing Del Cruise to proceed on appeal in forma pauperis, the matter would be brought to the court's attention on August 10, 2026, for action that may include dismissal of the appeal, and Del Cruise could seek relief from default by motion;

(5) The appellate clerk conventionally served the default notice upon Del Cruise and the United States Postal Service returned the mail "Unclaimed - Unable to Forward"; and

(6) Del Cruise has not filed a change of address, as required by HRAP Rule 25(f), or 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 an order allowing the appellant to proceed in forma pauperis. HRAP Rule 11(b)(2), (c)(2).

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

DATED: Honolulu, Hawai'i, October 2, 2026.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Daniel M. Gluck
Associate Judge