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NO. CAAP-25-0000096

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAIʻI

VENICE HOCHMAN, Petitioner-Appellee,
v.
HEATHER BOYD, Respondent-Appellant.

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1DSS-24-0001463)

SUMMARY DISPOSITION ORDER
(By: Nakasone, Chief Judge, Hiraoka and McCullen, JJ.)

Self-represented Respondent-Appellant Heather **Boyd** appeals from the District Court of the First Circuit's February 14, 2025 Injunction Against Harassment entered in favor of self-represented Petitioner-Appellee Venice **Hochman** for a period of one year.[1]

On appeal, Boyd argues that the district court lacked jurisdiction, the emails in question did not cause distress, and the emails served a legitimate purpose.

[1] The Honorable Bryant G.F.Y. Zane presided.

Upon careful review of the record and the briefs submitted by the parties, and having given due consideration to the issues raised and the arguments advanced, we resolve this appeal as discussed below and affirm.

We note that Boyd's opening brief does not comply in material respects with Hawaiʻi Rules of Appellate Procedure (**HRAP**) Rule 28(b).[2] In particular, the opening brief lacks any citations to the record or authorities. See HRAP Rule 28(b)(7). We also note that Boyd failed to provide this court with any transcript of the proceedings. See HRAP Rule 10(b)(1)(A).

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 Hawaiʻi 368, 380-81, 465 P.3d 815, 827-28 (2020). We thus address Boyd's arguments to the extent they can be discerned.

According to the district court minutes, Hochman's fifty-nine exhibits were admitted into evidence. Exhibit 1 appears to be a decision from an agency appeal, which described Boyd's 2014 termination from her position as a Tax Compliance Officer of the Internal Revenue Service (IRS) after violating provisions of a last-chance agreement. According to Hochman's

[2] Boyd filed two opening briefs that appear substantively identical, and her reply brief was untimely.

answering brief, Hochman is also an employee of the IRS, served as a union steward, and "was involved in working with Ms. Boyd and IRS management concerning these matters." Ten years later, in October 2024, Boyd began sending "numerous and repetitive emails" "concerning the circumstances of her termination" from the IRS. Hochman petitioned the court for an injunction and those emails are evidenced in Exhibits 3-59.

(1) First, Boyd appears to challenge the district court's jurisdiction, alleging that Hochman did not establish residency, the Treasury Inspector General for Tax Administration investigates threats for IRS employees, and the federal court has jurisdiction over federal employees.

In her petition, Hochman indicated that the district court had jurisdiction because she "resides or temporarily resides . . . in this division" and filed under seal her address, which is a Honolulu address. In addition, Hochman filed the petition pursuant to Hawaiʻi Revised Statutes (**HRS**) § 604-10.5 (2016). HRS § 604-10.5 provides in relevant part, "The district courts shall have the power to enjoin, prohibit, or temporarily restrain harassment." Hochman's petition was not filed pursuant to any federal authority. Accordingly, the district court had jurisdiction over Hochman's petition.

(2) Next, Boyd argues that "[n]o distress is caused by [the] emails" and challenges Hochman's credibility. However, this court does not pass upon the credibility of witnesses. State v. Pulse, 83 Hawaiʻi 229, 244-45, 925 P.2d 797, 812-13 (1996) ("It is well-settled that an appellate court will not pass upon issues dependent upon the credibility of witnesses.") (citation modified). And there is no transcript for this court to review. State v. Hoang, 93 Hawaiʻi 333, 336, 3 P.3d 499, 502 (2000) ("Without the relevant transcript, there is insufficient evidence to review the alleged error, and [the appellant] carries the burden of demonstrating the alleged error *in the record*[.]") (emphasis in original).

(3) Finally, Boyd argues the "[e]mails serve[d] a legitimate purpose as it appears that Venice Hochman is contractually obligated to provide representation per Union contract for the termination." Boyd appears to reference circumstances of her termination but provides no citation to any particular email in the record on appeal to which those references pertain. See State v. Adler, 108 Hawaiʻi 169, 178, 118 P.3d 652, 661 (2005) (explaining that the "appellant bears the burden to show error by reference to matters in the record, and this court is not obligated to sift through the voluminous record to verify an appellant's inadequately documented

contentions") (citation modified). Thus, we decline to further address this argument.

Based on the foregoing, we affirm the district court's February 14, 2025 Injunction Against Harassment. We further order that all pending motions are dismissed.

DATED: Honolulu, Hawaiʻi, November 19, 2026.

On the briefs:

Heather Boyd,
Self-represented
Respondent-Appellant.

Venice Hochman,
Self-represented
Petitioner-Appellee.

/s/ Karen T. Nakasone
Chief Judge

/s/ Keith K. Hiraoka
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge