

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

**Yelena Alexis Andrejeff, Celia E. Roberts, and Damara Hara Lange v.
Stephen Kenny**

Andrejeff v. Kenny · No. CAAP-XX-XXXXXXX · Decided June 24, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals dismissed Stephen Kenny's appeal from the District Court of the Second Circuit after he failed to pay the appellate filing fees within the time ordered by the court. The court relied on Hawai‘i Rules of Appellate Procedure Rule 24(c), which permits dismissal for failure to pay unpaid filing fees or provide security for costs.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Karen T. Nakasone; Clyde J. Wadsworth; Daniel M. Gluck
JURISDICTION	Hawai‘i Intermediate Court of Appeals
DECIDED	June 24, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	dismissed
PROCEDURAL POSTURE	Respondent-Appellant Stephen Kenny appealed from a district court proceeding. The Intermediate Court of Appeals dismissed the appeal after Kenny failed to pay the appellate filing fees required after denial of his motion to proceed in forma pauperis.
PRECEDENTIAL VALUE	Unpublished; not for publication in the West's Hawai‘i Reports and Pacific Reporter.
PARTIES	Stephen Kenny v. Yelena Alexis Andrejeff, Celia E. Roberts, Damara Hara Lange

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed after the unsuccessful movant failed to pay appellate filing fees following denial of a motion to proceed in forma pauperis.

HOLDINGS

1. An appellate court may dismiss an appeal when an unsuccessful movant fails to pay the unpaid appellate filing fees or give security for costs as ordered under Hawai'i Rules of Appellate Procedure Rule 24(c). Because Kenny failed to comply with the payment order, dismissal was warranted.

KEY QUOTATIONS

“Failure of the unsuccessful movant to pay the unpaid filing fees or to give security for costs shall not affect the validity of the appeal, but is ground for such action as the appellate court having jurisdiction over the appeal deems appropriate, and may include dismissal of the appeal.” (2)

FACTUAL BACKGROUND

Kenny, representing himself, filed a notice of appeal. The appellate court denied his request to proceed in forma pauperis and ordered him to pay the full appellate filing fees within ten days. He neither paid the fees nor complied with the order after the deadline expired.

PROCEDURAL HISTORY

Kenny filed a notice of appeal on November 25, 2025. On March 12, 2026, the court denied his motion to proceed on appeal in forma pauperis and ordered him to pay the filing fees within ten days, warning that failure to do so could result in dismissal. Kenny did not comply, and the Intermediate Court of Appeals dismissed the appeal.

DISPOSITION

dismissed

OPINION

Andrejeff v. Kenny

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Electronically Filed Intermediate Court of Appeals

CAAP-XX-XXXXXXX

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NO. CAAP-XX-XXXXXXX

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

YELENA ALEXIS ANDREJEFF, CELIA E. ROBERTS, and
DAMARA HARA LANGE, Petitioners-Appellees, v. STEPHEN KENNY, Respondent-Appellant.
APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
WAILUKU DIVISION
(CASE NO. 2DSS-XX-XXXXXXX)

ORDER DISMISSING APPEAL

(By: Nakasone, Chief Judge, Wadsworth and Gluck, JJ.) Upon review of the record, it appears that:

(1) Self-represented Respondent-Appellant Stephen

Richard Kenny (Kenny) filed the notice of appeal on November 25, 2025.

(2) The court's March 12, 2026 order denied Kenny's

motion to proceed on appeal in forma pauperis and stated that within 10 days, Kenny "shall pay the filing fees in the full amount to the Supreme Court Clerk's Office[,]" and "[f]ailure to pay the filing fees may result in the appeal being dismissed."

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(3) Kenny has not complied with the March 12, 2026

order, the time for compliance has expired, and Kenny has not paid the appellate filing fees. Therefore, IT IS HEREBY ORDERED that the appeal is dismissed. See Hawai'i Rules of Appellate Procedure Rule 24(c) ("Failure of the unsuccessful movant to pay the unpaid filing fees or to give security for costs shall not affect the validity of the appeal, but is ground for such action as the appellate court having jurisdiction over the appeal deems appropriate, and may include dismissal of the appeal."). DATED: Honolulu, Hawai'i, June 24, 2026. /s/ Karen T. Nakasone Chief Judge /s/ Clyde J. Wadsworth Associate Judge /s/ Daniel M. Gluck Associate Judge 2