

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Keri Kaitlin Powers Pye v. William Luke Pye

Pye · No. CAAP-XX-XXXXXXX · Decided June 2, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals dismissed William Luke Pye’s appeal from a Family Court of the First Circuit case. The court found that the appellate record was not prepared because the required filing fees remained unpaid and no order permitting in forma pauperis status had been obtained.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Clyde J. Wadsworth, Presiding Judge; Kimberly T. Guidry, Associate Judge; Daniel M. Gluck, Associate Judge
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	June 2, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed from a Family Court of the First Circuit matter. The Intermediate Court of Appeals dismissed the appeal because the record had not been prepared after appellant failed to pay appellate filing fees or obtain an order permitting him to proceed in forma pauperis.
PRECEDENTIAL VALUE	Unpublished and not for publication in the Hawai‘i Reports and Pacific Reporter.
PARTIES	William Luke Pye v. Keri Kaitlin Powers Pye

TOPICS

- family law procedure
- appellate procedure
- default
- civil procedure

PRACTICE AREAS

- family law
- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed because the record on appeal was not prepared after the appellant failed to pay required filing fees or obtain an order permitting him to proceed in forma pauperis.

HOLDINGS

1. An appeal may be dismissed when 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; under these circumstances, dismissal was warranted.

KEY QUOTATIONS

“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.” (2)

FACTUAL BACKGROUND

The appellant filed a notice of appeal but did not pay the required appellate filing fees or obtain an order allowing him to proceed in forma pauperis. The record on appeal was not prepared by the applicable deadline because the fees remained unpaid. After receiving notice of the default and the possibility of dismissal, appellant took no further action.

PROCEDURAL HISTORY

On January 9, 2026, William Luke Pye filed a notice of appeal. The family court clerk notified him that filing fees were unpaid and warned that failure to pay or seek a waiver could result in dismissal. After the record was not filed by the March 10 deadline, the circuit court clerk reported the outstanding fees, and the appellate clerk entered a default of the record. Appellant took no further action, so the appellate court dismissed the appeal.

DISPOSITION

dismissed

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 02-JUN-2026 07:59
AM Dkt. 9 ODS NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF
APPEALS OF THE STATE OF HAWAI'I KERI KAITLIN POWERS PYE, Plaintiff-Appellee, v.
WILLIAM LUKE PYE, Defendant-Appellant. APPEAL FROM THE FAMILY COURT OF THE
FIRST CIRCUIT (CASE NO. 1DV211006899) ORDER DISMISSING APPEAL (By: Wadsworth,
Presiding Judge, Guidry and Gluck, JJ.)

Upon review of the record, it appears that: (1) On January 9, 2026, self-represented Defendant-Appellant William Luke Pye (Husband) filed the notice of appeal in this case; (2) On January 16, 2026, the family court clerk notified Husband that the filing fees had not been paid, and cautioned Husband that failure to pay the fees or request a waiver may result in the appeal being dismissed or the notice of appeal being stricken; NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER (3) The record on appeal was due on or before March 10, 2026.

See Hawai'i Rules of Appellate Procedure (HRAP) Rule 11(b)(1); (4) On March 18, 2026, the circuit court clerk filed a declaration stating the record on appeal has not been filed because appellate filing fees remained outstanding; (5) On March 19, 2026, the appellate clerk entered a default of the record on appeal, informing Husband that the time to docket the appeal had expired, Husband had not paid the filing fees or obtained an order allowing Husband to proceed on appeal in forma pauperis, the matter would be brought to the court's attention on March 30, 2026, for action that may include dismissal of the appeal, and Husband could seek relief from default by motion; and (6) Husband has not 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, June 2, 2026. /s/ Clyde J. Wadsworth Presiding Judge /s/ Kimberly T. Guidry Associate Judge /s/ Daniel M. Gluck Associate Judge 2