

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Stephanie Hall v. Emily E. Ballan

Hall · No. CAAP-25-0000329 · Decided December 22, 2025

SUMMARY

The Intermediate Court of Appeals of Hawai‘i dismissed Emily E. Ballan’s appeal after she failed to file an opening brief by the deadline and did not request an extension or relief from default. The dismissal was entered under Hawai‘i Rules of Appellate Procedure Rule 30.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Keith K. Hiraoka; Sonja M.P. McCullen; Kimberly T. Guidry
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	December 22, 2025
DOCKET	CAAP-25-0000329
DISPOSITION	dismissed
PROCEDURAL POSTURE	Respondent-appellant appealed from a proceeding in the District Court of the First Circuit, Honolulu Division, but failed to file an opening brief or request an extension.
PRECEDENTIAL VALUE	Nonprecedential; not for publication in the West’s Hawai‘i Reports and Pacific Reporter
PARTIES	Emily E. Ballan v. Stephanie Hall

TOPICS

- appellate procedure
- default
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the appeal should be dismissed after the respondent-appellant failed to file the opening brief, failed to request an extension, and failed to seek relief from default after notice.

HOLDINGS

1. An appeal may be dismissed when the appellant fails to file the opening brief by the deadline, does not request an extension, and does not seek relief from default after receiving notice of the default and potential dismissal.

KEY QUOTATIONS

“Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.” (2)

FACTUAL BACKGROUND

Ballan filed a notice of appeal and the appellate record was subsequently filed. Her opening brief was due on July 14, 2025, but she neither filed the brief nor requested an extension. After receiving a default notice and an opportunity to seek relief, Ballan took no further action.

PROCEDURAL HISTORY

Ballan filed a notice of appeal on April 8, 2025, and the record on appeal was filed on June 3, 2025. After Ballan failed to file her opening brief by the July 14, 2025 deadline, the appellate clerk issued a default notice advising her of the potential dismissal under Hawai‘i Rules of Appellate Procedure Rule 30 and of her ability to seek relief from default. Ballan did not request relief from default or take further action, so the Intermediate Court of Appeals dismissed the appeal.

DISPOSITION

dismissed

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 22-DEC-2025 08:07
AM Dkt. 18 ODSD NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF
APPEALS OF THE STATE OF HAWAII STEPHANIE HALL, Petitioner-Appellee, v. EMILY E.
BALLAN, Respondent-Appellant. APPEAL FROM THE DISTRICT COURT OF THE FIRST
CIRCUIT HONOLULU DIVISION (CIVIL NO. 1DSS-XX-XXXXXXX) ORDER DISMISSING
APPEAL (By: Hiraoka, Presiding Judge, McCullen and Guidry, JJ.)

Upon review of the record, it appears that: (1) Respondent-Appellant Emily E. Ballan (Ballan) filed the notice of appeal in this matter on April 8, 2025, and the record on appeal was filed on June 3, 2025; (2) The opening brief was due on July 14, 2025, and Ballan neither filed the opening brief, nor requested an extension of time; (3) On July 16, 2025 the appellate clerk entered a default notice informing Ballan and her counsel, Rosa Flores, that the time for filing the opening brief

expired on July 14, 2025, the matter would be called to the court's attention on July 28, 2025 for appropriate action, which could include dismissal of the appeal under Hawai'i Rules of Appellate Procedure Rule 30, and that Ballan may request relief from default by motion; NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER (4) Ballan has not requested relief from default, and has not taken any further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed. DATED: Honolulu, Hawai'i, December 22, 2025. /s/ Keith K. Hiraoka Presiding Judge /s/ Sonja M.P. McCullen Associate Judge /s/ Kimberly T. Guidry Associate Judge 2