

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAII

Cadiz v. Cadiz

Cadiz · No. CAAP-25-0000430 · Decided January 2, 2026

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 02-JAN-2026 07:57
AM Dkt. 37 ODS NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF
APPEALS OF THE STATE OF HAWAII LEO CADIZ and FLORENCIA CADIZ as Co-
Trustees of the JOSUE B. CADIZ AND LEONARDA V. CADIZ REVOCABLE LIVING TRUST
DECLARATION DATED MAY 29, 1993, Plaintiffs/Counterclaim Defendants-Appellees, v.
ALEX CADIZ, Defendant/Counterclaimant/ Third-Party Plaintiff-Appellant, and ERNESTO
BASCONCILLO, and LEONILA C. BASCONCILLO, Defendants/Counterclaimants/Third-Party
Plaintiffs-Appellees, and LEA CADIZ, LEANNE CADIZ, LENNY CADIZ and LINDSEY
CADIZ, Third-Party Defendants-Appellees, and JOHN DOES 1-5, JANE DOES 1-5, DOE
CORPORATIONS 1-5, DOE PARTNERSHIPS 1-5, DOE CORPORATIONS 1-5 and DOE
LIMITED LIABILITY COMPANIES 1-5, Defendants APPEAL FROM THE CIRCUIT COURT
OF THE FIFTH CIRCUIT (CASE NO. 5CCV-XX-XXXXXXX) ORDER DISMISSING
APPEAL (By: Nakasone, Chief Judge, McCullen and Guidry, JJ.)

Upon review of the record, it appears that: (1) Self-represented Defendants-Appellants Alex
Cadiz, Ernesto Basconcillo, and Leonila C. Basconcillo's (collectively, Appellants) filed the notice
of appeal in this matter on June 2, 2025.

The record on appeal was filed on July 29, 2025. The statement of jurisdiction and opening brief
were due, without extension, on August 8, 2025 and September 8, 2025, respectively. Hawaii
Rules of Appellate Procedure (HRAP) Rules 12.1(a), 28(b). NOT FOR PUBLICATION IN
WEST'S HAWAII REPORTS AND PACIFIC REPORTER (2) On August 11, 2025, Appellants
filed Alex Cadiz, Ernesto Basconcillo, and Leonila C. Basconcillo's Motion for Extension of Time
to File Jurisdictional Statement and to Retain New Counsel, which requested an extension to
November 6, 2025 to file the statement of jurisdiction, but did not request an extension of time to
file the opening brief.

On September 19, 2025, the court granted an extension of time until October 7, 2025 to file the
statement of jurisdiction. (3) On October 9, 2025, the appellate clerk entered a default of the
statement of jurisdiction and opening brief, stating the time for filing the statement of jurisdiction
expired on October 7, 2025; the time for filing the opening brief expired on September 8, 2025;

the matter would be called to the court's attention on October 20, 2025 for action that could include dismissal, pursuant to HRAP Rules 12.1(e) and 30; and that Appellants could seek relief from default by motion.

(4) Appellants have failed to file the statement of jurisdiction and the opening brief, and have not taken any further action in this appeal. Therefore, IT IS HEREBY ORDERED that the appeal is dismissed. DATED: Honolulu, Hawai'i, January 2, 2026. /s/ Karen T. Nakasone Chief Judge /s/ Sonja M.P. McCullen Associate Judge /s/ Kimberly T. Guidry Associate Judge 2