

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Song v. Mansell

Song v. Mansell · No. CAAP-XX-XXXXXXX · Decided April 28, 2026

SUMMARY

The Intermediate Court of Appeals of Hawai‘i affirmed an order granting Jill Song's petition for an injunction against harassment as to Michael Mansell. The court declined to address two alleged errors because they were not supported by the appellate record and held that Mansell failed to demonstrate a basis for overturning the injunction, where the hearing transcript was absent and the record appeared to contain supporting evidence.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Karen T. Nakasone, Chief Judge; Sonja M.P. McCullen, Associate Judge; Kimberly T. Guidry, Associate Judge
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	April 28, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	affirmed
PROCEDURAL POSTURE	Michael Mansell appealed from the District Court of the Third Circuit's order granting Jill Song's petition for an injunction against harassment as to Mansell.
STANDARD OF REVIEW	Whether substantial evidence supports an injunction against an alleged harasser is reviewed under the clearly erroneous standard.
PRECEDENTIAL VALUE	unpublished, nonprecedential summary disposition order
PARTIES	Michael Mansell v. Jill Song, Carter Mansell, Skyler Obregon

TOPICS

- appellate procedure
- preservation of error
- standard of review
- injunctions
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- injunctions
- remedies

QUESTIONS PRESENTED

1. Whether the appellate court could review Mansell's claims concerning alleged harassment and improper representation by Song's attorney when the hearing transcript was absent and the record did not show that those issues were raised or considered below.
2. Whether substantial evidence supported the district court's injunction against harassment.

HOLDINGS

1. The appellate court declined to address the issues because the hearing transcript was not part of the record and the record did not show that the issues were raised, argued, or considered in the district court.
2. The court affirmed the injunction because Mansell failed to provide a record establishing error or identify evidence showing that the district court lacked substantial evidence to support the injunction.

KEY QUOTATIONS

“Matters not appearing in the record will not be considered by the court of appeals, unless the occurrence thereof is conceded by the parties.” (at 2)

“Whether there was substantial evidence to support an injunction against an alleged harasser is reviewed under the clearly erroneous standard.” (at 3)

FACTUAL BACKGROUND

Jill Song sought an injunction against harassment against Michael Mansell and two other respondents. The district court granted the injunction as to Mansell after a hearing. On appeal, Mansell argued that Song's evidence was insufficient and asserted that he had never seen or interacted with Song and had not driven past her house, but the hearing transcript was not included in the appellate record.

PROCEDURAL HISTORY

Song filed a petition for an ex parte temporary restraining order and injunction against harassment against Mansell, Carter Mansell, and Skyler Obregon. The district court entered an order granting the petition as to Michael Mansell on September 6, 2024. Mansell appealed, asserting three points of error; the Intermediate Court of Appeals declined to address the first two because the hearing transcript was absent and the issues were not shown to have been raised below, and affirmed the injunction order.

DISPOSITION

affirmed

CASES CITED

- Orso v. City & Cnty. of Honolulu, 55 Haw. 37, 38, 514 P.2d 859, 860 (1973)
- Duarte v. Young, 134 Hawai‘i 459, 462, 342 P.3d 878, 881 (App. 2014)

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 28-APR-2026 08:33
AM Dkt. 61 SO NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I JILL SONG, Petitioner-Appellee, v. CARTER MANSELL and
SKYLER OBREGON, Respondents-Appellees; and MICHAEL MANSELL, Respondent-
Appellant APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT NORTH &
SOUTH HILO DIVISION (CASE NO. 3DSS-XX-XXXXXXX) SUMMARY DISPOSITION
ORDER (By: Nakasone, Chief Judge, McCullen and Guidry, JJ.)

Self-represented Respondent-Appellant Michael Mansell (Mansell) appeals from the September 6, 2024 "Order Granting Petition for Injunction Against Harassment[as to Mansell]" (Injunction Order), entered by the District Court of the Third Circuit 1 (district court).

In the underlying proceeding, Petitioner-Appellee Jill Song (Song) filed a "Petition for Ex Parte Temporary Restraining 1 The Honorable M. Kanani Laubach presided. NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER Order and for Injunction Against Harassment" (Petition) against Mansell and Respondents-Appellees Carter Mansell (Carter) and Skyler Obregon.

Mansell asserts three points of error on appeal, contending that the district court erred by: (1) "allowing [Song's attorney] to practice improper legal tactics such as harassment and intimidation of the appellate [sic] in and out of the courtroom prohibiting Appellate [sic] from providing an adequate defense on his behalf"; (2) "allowing [Song's attorney] to provide defense for [Song] against Appellate [sic] after [Song's attorney] was instructed by Hawaii Police Department not to have any contact with Appellate [sic]"; and (3) "granting the restraining order against Appellate [sic] when Appellate [sic] had never seen, nor had any interaction, with [Song] prior to her court appearance."

Upon careful review of the record, Mansell's opening brief, 2 and the relevant legal authorities, we resolve Mansell's points of error as follows: (1) We decline to address Mansell's first and second points of error. Mansell contends that the district court erred by allowing Song's attorney "to practice improper legal tactics such as harassment and intimidation" against him, and by 2 Song did not file an answering brief.

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permitting Song's attorney to continue to represent Song. The transcript for the hearing on Song's Petition is not in the record, and the record does not reflect that these issues were raised by Mansell, argued by the parties, or considered by the district court. See *Orso v. City & Cnty. of Honolulu*, 55 Haw.

37, 38, 514 P.2d 859, 860 (1973) ("Matters not appearing in the record will not be considered by the court of appeals, unless the occurrence thereof is conceded by the parties. Thus[,] a question involving evidence not in the record cannot be reviewed on appeal." (citation omitted)).

(2) Mansell's third point of error contends that the district court erred in granting Song's Petition. Mansell appears to dispute that the evidence Song produced is sufficient to support the Injunction Order. "Whether there was substantial evidence to support an injunction against an alleged harasser is reviewed under the clearly erroneous standard." *Duarte v. Young*, 134 Hawai'i 459, 462, 342 P.3d 878, 881 (App.

2014) (cleaned up). It appears that Song produced evidence at the hearing to support her Petition. As pointed out, *supra*, the hearing transcript is not in the record. Nor does Mansell point to any evidence in the record establishing that he "had never seen" nor "had any interaction with" Song, and that he "did not drive past 3 NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER her house."

We are therefore unable to discern any basis for Mansell's contention that the district court erred in granting the Injunction Order. For the foregoing reasons, we affirm the Injunction Order. DATED: Honolulu, Hawai'i, April 28, 2026.

On the brief: /s/ Karen T. Nakasone Chief Judge Michael Mansell, Self-Represented /s/ Sonja M.P. McCullen Respondent-Appellant. Associate Judge /s/ Kimberly T. Guidry Associate Judge 4