

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PRECEDENTIAL VALUE	unpublished, nonprecedential summary disposition order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)

