

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Jerre Psak v. Keith Kardash

Psak v. Kardash · No. CAAP-XX-XXXXXXX · Decided March 31, 2026

SUMMARY

The Hawai‘i Intermediate Court of Appeals affirmed the District Court of the First Circuit's denial of Keith Kardash's post-judgment motion to stay enforcement of an injunction against harassment. The court held that Kardash's opening brief presented no discernible argument showing an abuse of discretion and noted that the underlying injunction was not properly before the court for review.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Katherine G. Leonard, Presiding Judge; Keith K. Hiraoka, Associate Judge; Sonja M.P. McCullen, Associate Judge
JURISDICTION	Hawai‘i Intermediate Court of Appeals
DECIDED	March 31, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	affirmed
PROCEDURAL POSTURE	Respondent-appellant appealed the district court's summary denial of a post-judgment motion seeking to stay enforcement of an injunction against harassment, clarify special conditions, and obtain permission to play the violin. He also sought reversal of other orders, vacatur of the injunction, and attorney's fees and costs.
STANDARD OF REVIEW	The court reviewed the denial of the motion to stay for abuse of discretion. It also applied liberal construction to the self-represented appellant's filings, provided that the appellant's argument could reasonably be discerned.
PRECEDENTIAL VALUE	Unpublished and not for publication in the West's Hawai‘i Reports and Pacific Reporter; precedential effect is not established by the source.
PARTIES	Keith Kardash v. Jerre Psak

TOPICS

- appellate jurisdiction
- appellate procedure
- injunctions
- standard of review
- civil procedure

PRACTICE AREAS

appellate procedure

civil procedure

injunctions

remedies

QUESTIONS PRESENTED

1. Whether the Intermediate Court of Appeals had jurisdiction to review the First Amended Injunction Against Harassment when no appeal had been taken from that injunction.
2. Whether the district court abused its discretion by summarily denying Kardash's post-judgment motion to stay enforcement of the injunction.
3. Whether Kardash was entitled to reversal of the challenged orders, vacatur of the injunction, or an award of attorney's fees and costs based on his opening brief.

HOLDINGS

1. The court lacked jurisdiction to review the First Amended Injunction Against Harassment because no appeal had been taken from that injunction.
2. The court affirmed the district court's November 26, 2024 Order Denying Motion to Stay because Kardash presented no discernible argument establishing that the district court abused its discretion.

KEY QUOTATIONS

“Thus, we have no jurisdiction to review the First Amended Injunction Against Harassment.” (at 2)

“Based on the foregoing, we affirm the district court's November 26, 2024 Order Denying Motion to Stay.”
(at 3)

FACTUAL BACKGROUND

The district court entered a First Amended Injunction Against Harassment in favor of Psak, Kardash's neighbor, on November 1, 2023. Kardash later sought to stay enforcement of the injunction, clarify two allegedly vague or ambiguous special conditions, and obtain permission to play the violin. The district court summarily denied that post-judgment motion on November 26, 2024, and Kardash appealed.

PROCEDURAL HISTORY

The District Court of the First Circuit entered a First Amended Injunction Against Harassment in favor of Jerre Psak on November 1, 2023, under Hawai‘i Revised Statutes § 604-10.5. Keith Kardash filed post-judgment motions, including a motion to stay enforcement, which the district court summarily denied on November 26, 2024. Kardash appealed that denial, but the Intermediate Court of Appeals held that the injunction itself was not before it because no appeal had been taken from the injunction, and affirmed the order denying the stay.

DISPOSITION

affirmed

CASES CITED

- Erum v. Llego, 147 Hawai'i 368, 380, 465 P.3d 815, 827 (2020)

OPINION

PER CURIAM.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER
Electronically Filed Intermediate Court of Appeals CAAP-XX-XXXXXXX 31-MAR-2026 08:05
AM Dkt. 79 SO NO. CAAP-XX-XXXXXXX IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I JERRE PSAK, Petitioner-Appellee, v. KEITH KARDASH,
Respondent-Appellant. APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION (CIVIL NO. 1DSS-XX-XXXXXXX) SUMMARY DISPOSITION
ORDER (By: Leonard, Presiding Judge, Hiraoka and McCullen, JJ.)

Self-represented Respondent-Appellant Keith Kardash appeals from the District Court of the First Circuit's November 26, 2024 summary denial of his post-judgment "Expedited Non-Hearing Ex Parte Motion for an Order Staying Enforcement of First Amended Injunction Against Harassment Filed on 11/1/23 Pending a Court Hearing on Respondent's Non-Hearing Motion for an Order Clarifying [sic] the Vague and Ambiguous Special Conditions 1 and 2 of the First Amended Injunction Against NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER Harassment Filed on 11/1/23, Filed on 7/30/24, and on Respondent's Non-Hearing Motion for a Court Order Allowing Respondent to Play the Violin" (Order Denying Motion to Stay).

1 (Formatting altered.) The First Amended Injunction Against Harassment was entered in favor of his neighbor, Petitioner- Appellee Jerre Psak, on November 1, 2023, pursuant to Hawai'i Revised Statutes § 604-10.5 (2016 & Supp. 2023). 2 Kardash's opening brief consists of two sentences: Judge Chris A.K. Thomas and Judge David Hayakawa were biased, failed to support their decisions with evidence, testimony or legal basis, abused their power and violated the Hawaii Revised Code of Judicial Conduct.

This Honorable Court should reverse Judge Thomas' and Judge Hayakawa's decisions, vacate Petitioner-Appellee JERRE PSAK'S injunction and award Respondent-Appellant KEITH D. KARDASH with attorney's fees and costs. See Hawai'i Rules of Appellate Procedure (HRAP) Rule 28(b) (setting forth opening brief requirements); HRAP Rule 1(d) ("Attorneys and pro se parties are deemed to be aware of, and are expected to comply with, all of the provisions of these rules.").

No answering brief was filed. Kardash appears to seek reversal of the district court's various orders, vacatur of the First Amended Injunction Against Harassment, and an award of attorneys' fees. However, 1 The Honorable David M. Hayakawa entered the November 26, 2024 Order

Denying Motion to Stay. 2 The Honorable Chris A.K. Thomas entered the November 1, 2023 First Amended Injunction Against Harassment.

There was no appeal from this injunction. Thus, we have no jurisdiction to review the First Amended Injunction Against Harassment. 2 NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER Kardash appeals from the Order Denying Motion to Stay and presents no discernible argument upon which this court can conclude the district court abused its discretion as to that order.

See *Erum v. Llego*, 147 Hawai'i 368, 380, 465 P.3d 815, 827 (2020) (requiring self-represented filings to be liberally construed "so long as the litigant's argument can reasonably be discerned"). Based on the foregoing, we affirm the district court's November 26, 2024 Order Denying Motion to Stay. DATED: Honolulu, Hawai'i, March 31, 2026.

On the briefs: /s/ Katherine G. Leonard Presiding Judge Keith Kardash, Self-represented /s/ Keith K. Hiraoka Respondent-Appellant. Associate Judge /s/ Sonja M.P. McCullen Associate Judge 3