

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-23-0000038  
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NO. CAAP-23-0000038

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

BRANDON SILVA; CHEYENNE SILVA, Plaintiffs-Appellees, v.  
TOMMY MARTIN, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT  
HAMAKUA DIVISION  
(CASE NO. 3DRC-22-0002046)

(By: Ginoza, ORDER DISMISSING APPEAL  
Chief Judge, Wadsworth and Chan, JJ.)

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief  
were due on or before March 23, 2023, and April 24, 2023,  
respectively;

(2) Self-represented Defendant-Appellant Tommy Martin  
(Martin) failed to file either document, or request an extension  
of time;

(3) On May 1, 2023, the appellate clerk notified Martin  
that the time for filing the statement of jurisdiction and  
opening brief had expired, the matter would be called to the  
court's attention on May 11, 2023, for appropriate action, which  
could include dismissal of the appeal, under Hawaii Rules of  
Appellate Procedure Rules 12.1(e) and 30, and Martin could  
request relief from default by motion; and

**NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER**

(4) Since the default notice, Martin has not taken any further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 30, 2023.

/s/ Lisa M. Ginoza  
Chief Judge

/s/ Clyde J. Wadsworth  
Associate Judge

/s/ Derrick H.M. Chan  
Associate Judge