

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2025

CELESTE M. GONSALVES, Petitioner

v.

STUART B. GLAUBERMAN, by his Managing Agent, KFG Properties, Inc., Respondents

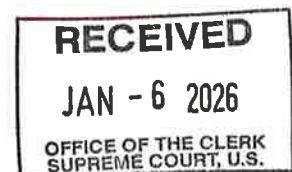
MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI PURSUANT TO RULE 13 (5)

To the Honorable United States Supreme Court:

1.) Petitioner, Celeste M. Gonsalves, pursuant to Rule 13 (5), Rules of the Supreme Court of the United States, respectfully seeks a sixty (60) day extension of time within which to file her petition for writ of certiorari in this Court. Jurisdiction of this Court is invoked under 28 U.S.C. § 1257 (a). This application is submitted more than ten (10) days prior to the scheduled filing date for the Petition. The pertinent dates are:

a.) **October 21, 2025:** Hawaii Supreme Court Rejected Petitioner Celeste M. Gonsalves' Application for a Writ of Certiorari filed on September 15, 2025 under Case: SCWC-23-0000341. A copy of the Order is attached hereto as **Exhibit A**.

b.) **July 16, 2025:** Issuance of Summary Deposition Order by the Hawaii Supreme Court Intermediate Court of Appeals for ICA Case: CAAP-23-0000341, affirming Honolulu District Court's ruling Granting Proof Hearing for Damages and a Denied Motion to Set Aside Default. A copy of ICA Summary Disposition Order is attached hereto as **Exhibit B**.



c.) **January 21, 2026:** Expiration of time for filing a petition for writ of certiorari in the United States Supreme Court, unless extended.

2.) Petitioner requests an extension for the following reasons, as stated below:

a.) Petitioner will be requesting a fee waiver to pursue her application for a writ of certiorari because of her poverty and permanent disability status, therefore she is not privileged to retain counsel to pursue this arduous process. As such, Petitioner needs more time to learn and conform to all the rules as set forth to comply with a submission of an application for a writ of certiorari, respectively.

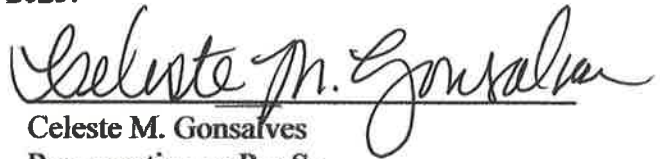
b.) Currently, Petitioner is litigating substantive court cases in Hawaii Probate Court with scheduled court hearings set for January 9, 2026, and February 19, 2026, also as pro se. These Hawaii Probate Court cases also entail upcoming difficult decisions to be made on behalf of the legal, lifetime interest tenant, who is 92 years old, currently residing on the Trust Property. The Hawaii Probate Court Judge as put forth instructions to create a plan to resolve the Trust Property issues, which include Waste and ongoing, illegal drug use and searching for a remedy to seek personal care options for the 92-year-old lifetime interest tenant. Petitioner believes the Hawaii Supreme Court will be Appointing her as the Successor-Trustee soon, so that she will have full authority to oversee and protect her father's Trust Property properly and legally. The December 4, 2025 Hawaii Probate Court hearing resulted in an emergency, dire situation for Petitioner to produce additional Damages claims and Police Report Records.

For the foregoing reasons, Petitioner, who is indigent and must pursue the application process for a writ of certiorari in the Supreme Court of the United States *in forma paupers* due to her poverty status: Federal HUD Section 8 Recipient and USDA SNAP Benefit Recipient, respectfully prays that this Court grant an extension of sixty (60) days to file her

petition for writ of certiorari.

I, Celeste M. Gonsalves, Petitioner declares that I am submitting my Request for an Extension to file a Writ of Certiorari in "*Good Faith*," with the sole intension of seeking justice from the highest court of the United States in this legal case. All statements and exhibits are presented as truthful as the signing date of December 24, 2025. I, Celeste M. Gonsalves, understand the penalty of perjury in all United States Federal Laws, accordingly.

Respectfully submitted, this 24th day of December 2025.

A handwritten signature in cursive script, reading "Celeste M. Gonsalves", written over a horizontal line.

Celeste M. Gonsalves
Representing as Pro Se
P. O. Box 620
Kailua, Hawaii 96734
Email: cmgonsal@hawaii.edu
Phone: (808) 263-3953

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SCWC-23-0000341

IN THE SUPREME COURT OF THE STATE OF HAWAII

STUART B. GLAUBERMAN, by his Managing Agent,
KFG PROPERTIES, INC.,
Respondent/Plaintiff-Appellee,

vs.

CELESTE M. GONSALVES,
Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CAAP-23-0000341; CASE. NO. 1DRC-21-0002121)

ORDER REJECTING APPLICATION FOR WRIT OF CERTIORARI
(By: McKenna, Acting C.J., Eddins, Ginoza, and Devens, JJ.,
and Circuit Judge DeWeese, assigned by reason of vacancy)

Petitioner Celeste M. Gonsalves' Application for Writ
of Certiorari, filed on September 15, 2025, is hereby rejected.

DATED: Honolulu, Hawai'i, October 21, 2025.

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

/s/ Wendy M. DeWeese



EXHIBIT # A

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NO. CAAP-23-0000341

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STUART B. GLAUBERMAN, by his Managing Agent,
KFG PROPERTIES, INC., Plaintiff-Appellee, v.
CELESTE M. GONSALVES, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
KO'OLAUPOKO DIVISION
(CASE NO. 1DRC-21-0002121)

SUMMARY DISPOSITION ORDER

(By: Hiraoka, Presiding Judge, Wadsworth and Guidry, JJ.)

Celeste M. **Gonsalves**, representing herself, appeals from the March 4, 2024 **Judgment** for Stuart B. **Glauber**man entered by the District Court of the First Circuit, Ko'olaupoko Division.¹ Gonsalves challenges **(1)** the April 12, 2023 denial of her motion to continue the April 14, 2023 trial on Glauber's damage claims,² and **(2)** the May 9, 2023 order denying her motion to set aside her default.³ We affirm.

Glauberman sued Gonsalves on March 3, 2021, for refusing to vacate rented premises after being given a 45-day notice terminating her tenancy. A judgment for possession and

¹ The Honorable Shellie K. Park-Hoapili presided.

² The Honorable Karin L. Holma presided.

³ The Honorable James C. McWhinnie presided.

writ of possession were entered on September 29, 2021.⁴

Gonsalves appealed. We affirmed. Glaubergerman v. Gonsalves, No. CAAP-21-0000536 & No. CAAP-21-0000545, 2024 WL 244468 (Haw. App. Jan. 19, 2024), cert. rejected, SCWC-21-0000536, 2024 WL 2669093 (Haw. May 24, 2024).

The trial date for Glaubergerman's damage claims was set and continued several times. It was ultimately set for April 14, 2023. On April 12, 2023, Gonsalves again moved to continue the trial. The motion was denied. Gonsalves went to the courthouse on April 14, 2023, but left and did not appear for the trial. The district court conducted a proof hearing and ordered judgment by default for \$43,417.20.

Gonsalves moved to set aside her default on April 17, 2023. The motion was heard on May 5, 2023. The order denying the motion was entered on May 9, 2023. Gonsalves filed her notice of appeal on May 10, 2023. The Judgment was entered on March 4, 2024, on a temporary remand.

(1) Gonsalves contends the district court erred by denying her April 12, 2023 motion to continue the April 14, 2023 trial date. After the district court denied a continuance, Gonsalves went to the courthouse and checked in with the bailiff on April 14, 2023. She says she was "very distraught and [c]onstantly experiencing an ongoing [p]anic [a]ttack." She says the bailiff asked if she needed medical attention. She said she got "more scared" and instead asked the bailiff to show the judge a "letter and verifying documents, but he refused." The bailiff's refusal was appropriate because ex parte communication with the court is not allowed. She was instructed to wait until her case was called. She says her panic attack worsened; she told the bailiff she was not well and needed to get medical treatment; and left the courtroom before her case was called. She could have explained her situation to the presiding judge after her case was called, but she did not. Under these

⁴ Judge Holma presided.

circumstances, and given the several prior continuances, the district court's denial of Gonsalves' motion to continue was not an abuse of discretion.

(2) Gonsalves contends the district court erred by denying her motion to set aside her default. We review for abuse of discretion. Bassan v. Holzman, 3 Haw. App. 677, 678, 657 P.2d 1065, 1065-66 (1983).

A motion to set aside a default judgment is subject to District Court Rules of Civil Procedure (DCRCP) Rule 60(b). Bassan, 3 Haw. App. at 678, 657 P.2d at 1065-66. The moving party must show three things: (1) the nondefaulting party will not be prejudiced by the reopening, (2) the defaulting party has a meritorious defense, and (3) the default was not the result of inexcusable neglect or a wilful act. Id. at 678, 657 P.2d at 1066; cf. Chen v. Mah, 146 Hawai'i 157, 173, 457 P.3d 796, 812 (2020) (describing "three-prong test applicable to motions to set aside default judgments under [Hawai'i Rules of Civil Procedure] Rule 60(b)"). The elements are conjunctive; failure to establish one will result in relief being denied. Chen, 146 Hawai'i at 174, 457 P.3d at 813.

Gonsalves had the burden to show she had a meritorious defense to Glauberman's damage claims. Gonsalves did not request the trial transcript for the record on appeal, but the record shows the district court awarded Glauberman \$42,402.20 for rent, \$350.00 for repairs, and \$665.00 for locksmith costs. Gonsalves's moving papers discussed her mental health and her father's death, but offered no evidence she did not owe rent or was not responsible for repair or locksmith costs.

Gonsalves argues she "was not properly served" with Glauberman's opposition. Rules of the District Court Rule 7 requires that an opposition to a motion be filed and served "not later than 72 hours" before the time set for the hearing. The hearing on Gonsalves's motion was set for 9:30 a.m. on May 5, 2023. Glauberman's opposition was filed at 6:19 a.m. on May 3, 2023. It was untimely. It was served on Gonsalves by email,

which is not allowed by DCRCP Rule 5(b). But there was no harm to Gonsalves because her moving papers didn't satisfy her burden to show she had a meritorious defense to Glauberman's damage claims.

Gonsalves made representations to the district court, and argues that the court did not view her exhibits. But during the hearing on her motion she stated she didn't file her exhibits. She has not provided a citation to the record on appeal where her exhibits, or any other documents supporting the representations she made to the district court, may be found. We are not obligated to search the record for information that should have been provided by Gonsalves. Hawaii Ventures, LLC v. Otaka, Inc., 114 Hawai'i 438, 480, 164 P.3d 696, 738 (2007). We conclude that the district court acted within its discretion by denying Gonsalves's motion to set aside the default judgment after she failed to meet her burden of proving she had a meritorious defense to Glauberman's damage claims.

The Judgment entered by the district court on March 4, 2024, is affirmed.

DATED: Honolulu, Hawai'i, June 16, 2025.

On the briefs:

Celeste M. Gonsalves,
Self-represented
Defendant-Appellant.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

Stuart B. Glauberman,
Self-represented
Plaintiff-Appellee.


/s/ Kimberly T. Guidry
Associate Judge

CERTIFICATE OF SERVICE

I, Celeste M. Gonsalves, Petitioner certify that on December 24, 2025 I served the foregoing Motion for Extension of Time to file Petition for Writ of Certiorari in the States Supreme of the United States by first-class certified mail, postage prepaid, addressed to:

- 1.) Plaintiff Corporation Entity: KFG Properties, INC.
909 Lehua Avenue, 2nd Floor
Pearl City, Hawaii 96782

Signed on December 24, 2025 in Kailua, Hawaii 96734.


Celeste M. Gonsalves
Representing as Pro Se