

NO. 24298

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CHILD SUPPORT ENFORCEMENT AGENCY, Plaintiff-Appellee

vs.

CHRIS GRINDLING, Defendant-Appellant

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APPEAL FROM THE SECOND CIRCUIT COURT  
(FC-P NO. 95-0409)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Defendant-appellant Christopher B. Grindling (Grindling) appeals from the order of the family court of the second circuit, the Honorable Eric G. Romanchak presiding, striking his petition for post-decree relief requesting visitation with his son. On appeal, Grindling argues that the family court erred because it arbitrarily denied his request on the basis that the record contained no evidence to show visitation would be in the best interest of his son.

Upon carefully reviewing the record and the briefs submitted and having given due consideration to the argument made and the issues raised, we affirm the family court's amended order dismissing Grindling's petition for post-decree relief. Inasmuch as the family court did not commit an abuse of discretion in declining to exercise its jurisdiction pursuant to HRS § 583-7, because it found Hawai'i was an inconvenient forum, this court need not address the merits of this case, which include Grindling's failure to appear at the hearing on the motion held on May 9, 2001 and his failure to provide proof of service indicating that defendant Lorna K. Smith was served. Therefore,

IT IS HEREBY ORDERED that the family court's judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawai'i, December 30, 2002.

On the briefs:

Chris Grindling,  
defendant-appellant  
pro se

Deborah Ashby McNulty,  
Deputy Attorney General,  
for plaintiff-appellee,  
no brief filed