

*** NOT FOR PUBLICATION ***

NO. 26724

IN THE SUPREME COURT OF THE STATE OF HAWAII

LAEL L. VOLAGE, Claimant-Appellee

vs.

RAYJEN CORPORATION and HAWAII EMPLOYERS' MUTUAL INSURANCE
COMPANY, Employer/Insurance Carrier-Appellants

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2004-139)

ORDER DISMISSING APPEAL

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

Upon review of appellants' statement of jurisdiction and the record, it appears that the June 9, 2004 order denying the motion to dismiss and the July 13, 2004 order denying reconsideration thereof do not finally end the proceeding before the Labor and Industrial Relations Appeals Board (LIRAB) in Case No. AB 2004-139. Deferring review of the June 9, 2004 and July 13, 2004 orders pending entry of a final decision and order by the LIRAB would not deprive appellants of adequate relief inasmuch as the June 9, 2004 and July 13, 2004 orders and any adverse rulings arising from the LIRAB trial will be appealable by appellants after entry of a final decision and order in the

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appeal. Thus, we lack jurisdiction over this appeal. See HRS §§ 91-14(a) and 386-88. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, November 4, 2004.