

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28485

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

PHYLLISTINE V. GEORGE, Claimant-Appellant, v. AMERICA
HEALTHWAYS, INC., and INDUSTRY AND COMMERCE, Adjusted
by JOHN MULLEN AND COMPANY, Employer/Insurance
Carrier/Insurance Adjuster-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS
APPEALS BOARD
(Case No. AB 2006-668; 2-02-17950)

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 AUG 16 AM 11:33

FILED

ORDER DISMISSING APPEAL

(By: Watanabe, Presiding J., Nakamura, and Fujise, JJ.)

Upon review of the record, it appears that:

- (1) Claimant-Appellant Phyllistine V. George (Appellant) filed a notice of appeal with the Hawai'i Labor and Industrial Relations Appeals Board on April 2, 2007; (2) Appellant did not pay the filing fees or obtain an order allowing her to proceed on appeal in forma pauperis; (3) on July 2, 2007, the appellate clerk informed Appellant that (a) the record on appeal could not be filed without payment of the filing fee pursuant to Rule 3(f) of the Hawai'i Rules of Appellate Procedure (HRAP) or an executed motion to proceed in forma pauperis pursuant to HRAP Rule 24, and (b) the matter would be called to the attention of the court on July 9, 2007 for such action as the court deemed proper, which may include dismissal of the appeal; and (4) Appellant failed to pay the filing fee or submit a motion to proceed in forma pauperis. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed pursuant to HRAP Rules 3(a), 11(c)(2), and 24.

DATED: Honolulu, Hawai'i, August 16, 2007.


Presiding Judge


Associate Judge


Associate Judge