

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 27268

IN THE SUPREME COURT OF THE STATE OF HAWAII

EUGENE L. SABADO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2005 AUG -4 PM 12:58

FILED

DAVID D. MAXWELL, Claimant-Appellant,

vs.

KAISER FOUNDATION HOSPITAL, Employer-Appellee.

APPEAL FROM THE LABOR & INDUSTRIAL RELATIONS APPEALS BOARD  
(CASE NO. AB 2004-353(2-03-09030 MAUI))

ORDER DISMISSING APPEAL

(By: Nakayama, J., for the court<sup>1</sup>)

Upon review of the record, it appears that (1) the Supreme Court Clerk's Office informed Appellant, by letter dated July 8, 2005, that the record on appeal cannot 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 that the matter would be called to the attention of the court for such action as the court deemed proper pursuant to HRAP Rule 11(a), including dismissal of the appeal; and (2) Appellant failed to pay the filing fee or submit a motion to proceed in forma pauperis; therefore,

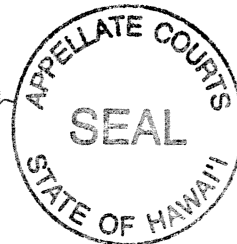
IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, August 4, 2005.

FOR THE COURT:

*Anna C. Nakayama*

Associate Justice



<sup>1</sup>Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.