

NO. 26370

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

WILLIAM J. M. KUAMOO, SR., Petitioner/Claimant-Appellant,

vs.

STATE OF HAWAI'I, DEPARTMENT OF AGRICULTURE
Respondent/Employer-Appellee, Self-Insured,

and

HAWAII HEALTH SYSTEMS CORP., dba HILO MEDICAL CENTER,
Respondent/Appellee

EM. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 JUN 22 AM 9:10

FILED

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2002-122(H) (1-80-02492))

ORDER DISMISSING NOTICES OF APPEAL AND PERMITTING
PETITIONER/CLAIMANT-APPELLANT TO FILE AN APPROPRIATE
APPLICATION FOR WRIT OF CERTIORARI IN ACCORDANCE WITH
HAWAI'I RULES OF APPELLATE PROCEDURE RULE 40.1

(By: Duffy, J., for the court¹)

It appearing that (1) Petitioner/Claimant-Appellant William J. M. Kuamoo, Sr. filed two documents labeled "Notice of Appeal," on June 12, 2007 and June 19, 2007 respectively, seeking review of the Intermediate Court of Appeals (ICA)'s May 18, 2007 judgment on appeal that affirmed the Decision and Order of the Labor and Industrial Relations Appeals Board filed on December 31, 2003, (2) the appropriate vehicle for seeking review of the ICA's judgment is an application for a writ of certiorari, pursuant to Hawai'i Revised Statutes § 602-59, and which must comply with Hawai'i Rules of Appellate Procedure (HRAP) Rule

¹ Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.

40.1(d), and (3) insofar as the ICA's judgment on appeal was filed on May 18, 2007, the deadline to file the application for a writ of certiorari will not expire until August 16, 2007,

IT IS HEREBY ORDERED that the "Notice of Appeal" documents filed on June 12, 2007 and June 19, 2007 are dismissed, and Kuamoo may, if he so chooses, file an application for a writ of certiorari in accordance with HRAP Rule 40.1. The application must be filed by the close of business on August 16, 2007.

DATED: Honolulu, Hawai'i, June 22, 2007.

FOR THE COURT:

Kama E. Duffy, Jr.

Associate Justice

