

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 27962

IN THE SUPREME COURT OF THE STATE OF HAWAII

2007 MAR 29 PM 2:25

FILED

CIVIL NO. 05-1-1388

In the Matter of UNITED PUBLIC WORKERS, AFSCME, Local 646,  
AFL-CIO, Complainant-Appellant, Cross-Appellee

and

LARRY J. LEOPARDI, Chief Engineer, Acting Director, Facility  
Maintenance, City and County of Honolulu; CHERYL OKUMA-SEPE,  
Director, Department of human Resources, City and County of  
Honolulu; and JEREMY HARRIS, Mayor, City and County of Honolulu,  
THOMAS LENCHANKO, District Road Superintendent, Department of  
Facility Maintenance, City and County of Honolulu; and CYNTHIA  
JOHANSON, Department Coordinator, Department of Facility  
Maintenance, City and County of Honolulu (2005-124),  
Respondents-Appellees, Cross-Appellants,

and

HAWAII LABOR RELATIONS BOARD, BRIAN K. NAKAMURA, EMORY J.  
SPRINGER and KATHLEEN RACUYA-MARKKRICH,  
Agency-Appellees, Cross-Appellees.

CIVIL NO. 05-1-1391

In the Matter of UNITED PUBLIC WORKERS, AFSCME, Local 646,  
AFL-CIO, Complainant-Appellant, Cross-Appellee

and

LAVERNE HIGA, Chief Engineer, Acting Director, Facility  
Maintenance, City and County of Honolulu; KENNETH NAKAMATSU,  
Director, Department of Human Resources, City and County of  
Honolulu; and MUFU HANNEMANN, Mayor, City and County of Honolulu;  
THOMAS LENCHANKO, District Road Superintendent, Department of  
Facility Maintenance, City and County of Honolulu; and CYNTHIA  
JOHANSON, Department Coordinator, Department of Facility  
Maintenance, City and County of Honolulu,  
Respondents-Appellees, Cross-Appellants,

and

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HAWAII LABOR RELATIONS BOARD, STATE OF HAWAII,  
Agency-Appellee, Cross-Appellee.

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APPEALS FROM THE FIRST CIRCUIT COURT  
(CIV. NOS. 05-1-1388 and 05-1-1391)

ORDER DISMISSING "NOTICE OF APPEAL TO THE SUPREME COURT"  
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the "notice of appeal to the supreme court" filed on March 9, 2007 by United Public Workers, AFSCME, Local 646, AFL-CIO (UPW), it appears that UPW purports to appeal to the supreme court from a March 7, 2007 order of the Intermediate Court of Appeals granting a stay pending appeal pursuant to HRAP 8. UPW purports to appeal pursuant to HRS §§ 380-10 (1993) and 602-5 (1993), but those statutes, as amended in 2004, do not authorize an appeal to the supreme court of the March 7, 2007 order of the Intermediate Court of Appeals. See HRS §§ 380-10 (Supp. 2006) and 602-5 (Supp. 2006). Therefore,

IT IS HEREBY ORDERED that UPW's March 9, 2007 "notice of appeal to the supreme court" is dismissed.

DATED: Honolulu, Hawai'i, March 29, 2007.

