

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-13-0001413  
17-DEC-2013  
10:09 AM**

NO. CAAP-13-0001413

IN THE INTERMEDIATE COURT OF APPEALS  
OF THE STATE OF HAWAII

JAMES DePONTE, II, Claimant-Appellant,  
v.  
COUNTY OF HAWAII, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,  
Employer/Self-Insured-Appellee

APPEAL FROM LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
(AB NO. 2011-122(H) (1-10-00664))

ORDER DISMISSING APPEAL PURSUANT TO HRAP RULE 30  
(By: Nakamura, C.J., Leonard and Ginoza, JJ.)

Upon review of the record, it appears that:

- (1) On June 13, 2013, Claimant-Appellant James DePonte, II (Appellant), pro se, filed a notice of appeal;
- (2) The record on appeal was filed on September 11, 2013, and the appellate clerk informed Appellant that, among other things, the opening brief was due by October 21, 2013;
- (3) Appellant did not file the opening brief;
- (4) On November 12, 2013, the appellate clerk informed Appellant that the time for filing the opening brief had expired and, pursuant to Hawaii Rules of Appellate Procedure Rule 30,

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

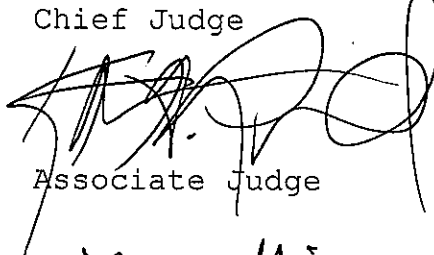
the matter would be called to the court's attention on November 22, 2013, for such action as the court deems proper, which could include dismissal; and

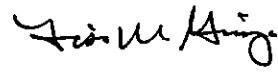
(5) Thereafter, Appellant did not file the opening brief, or respond to the notice of default.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, December 17, 2013..

  
Chief Judge

  
Associate Judge

  
Associate Judge