

NO. CAAP-16-0000663

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

KENNETH M. SKAHAN,  
Claimant-Appellant/Appellant,  
v.  
STUTTS CONSTRUCTION COMPANY, INC.,  
Employer-Cross-Appellant/Appellee,  
and  
FIRST INSURANCE COMPANY OF HAWAII, LTD.,  
Insurance Carrier-Cross Appellant/Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
(CASE NO. AB 2014-019(WH))  
(DCD NO. 9-04-45072)(M))

ORDER GRANTING THE MARCH 20, 2017 MOTION FOR RECONSIDERATION  
(By: Leonard, Presiding Judge, Reifurth and Ginoza, JJ.)

Upon consideration of pro se Claimant-Appellant Kenneth M. Skahan's (Appellant) March 20, 2017 "Motion for Reconsideration of the Order Dismissing the Appeal Dated March 14, 2017," the papers in support, and the record, it appears that (1) on March 14, 2017, the court dismissed the appeal for failure to pay the appellate filing and docketing fees, which were due on or before January 23, 2017, and dismissed all pending motions, including Appellant's February 20, 2017 "'Motion to Dismiss for Lack of Jurisdiction', the Appeals of

October 10, 2016, and November 17, 2016"; (2) Appellant seeks reconsideration of the dismissal order, and a decision on his February 20, 2017 motion to dismiss the appeal, because at some point after March 8, 2017, he mailed payment to the Labor and Industrial Relations Appeals Board clerk; (3) the appellate clerk processed the filing and docketing fees payment on March 30, 2017; and (4) although Appellant paid the appellate filing and docketing fees late, there is good cause to grant the instant motion.

Therefore, IT IS HEREBY ORDERED that the motion for reconsideration is granted, and the appeal is reinstated. The court will defer a determination on Appellant's February 20, 2017 motion to dismiss the appeal until after the record on appeal is filed in this case.

IT IS FURTHER ORDERED that the clerk of the Labor and Industrial Relations Appeals Board shall file the record on appeal within thirty days from the date of this order.

DATED: Honolulu, Hawai'i, April 3, 2017.

Presiding Judge

Associate Judge

Associate Judge