

NO. CAAP-20-0000115

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

JEFFREY E. HEGERFELDT, Claimant-Appellant/Appellant, v.
ALVEN CORPORATION, Employer-Appellee/Appellee,
and DTRIC INSURANCE COMPANY,
Insurance Carrier-Appellee/Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2018-204; DCD NO. 2-13-05223)

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Leonard and Wadsworth, JJ.)

Upon review of the record, it appears that:

(1) On March 2, 2020, self-represented Claimant-Appellant/Appellant Jeffrey E. Hegerfeldt (Hegerfeldt) filed the notice of appeal;

(2) On June 26, 2020, the Chief Clerk of the Labor and Industrial Relations Appeals Board filed the record on appeal, and the appellate clerk notified the parties that the statement of jurisdiction and opening brief were due on or before July 6, 2020, and August 5, 2020, respectively;

(3) The court twice granted Hegerfeldt relief from default of the statement of jurisdiction, and once granted him relief from default of the opening brief. Ultimately, the court extended the deadlines for the statement of jurisdiction and opening brief to October 12, 2020. With each extension, the court cautioned Hegerfeldt that any further default of the statement of jurisdiction or opening brief may result in

sanctions authorized by Hawai'i Rules of Appellate Procedure (HRAP) Rules 12.1(e) and 30, including, without limitation, monetary sanctions, the appeal being dismissed, or both;

(4) Hegerfeldt failed to file either document or request another extension;

(5) On October 19, 2020, Insurance Carrier-Appellee-Appellee DTRIC Insurance Company filed a motion to dismiss the appeal for failure to file the statement of jurisdiction and opening brief;

(6) Hegerfeldt did not file a response to the motion;

(7) On October 20, 2020, the appellate clerk notified Hegerfeldt that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on October 30, 2020, for appropriate action, which could include dismissal of the appeal, under HRAP Rules 12.1(e) and 30, and Hegerfeldt could request relief from default by motion; and

(8) Hegerfeldt took no further action in this appeal.

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

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, November 4, 2020.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge