

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000544

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

KAREN K. ABERSOLD, Claimant-Appellant-Appellant, v.
A MARKETING RESOURCE, LLC, Employer-Appellee-Appellee, and
STATE FARM INSURANCE, Insurance Carrier-Appellee-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2017-323(S); DCD NO. 2-13-04995)

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

(1) On September 2, 2022, self-represented Claimant-Appellant-Appellant Karen K. Abersold (Appellant) filed a Notice of Appeal with the Labor and Industrial Relations Appeals Board (Board) without the fees required by Hawai'i Rules of Appellate Procedure (HRAP) Rule 3(a);

(2) On October 6, 2022, the Chief Clerk of the Board notified Appellant that payment of appellate filing fees are required under HRAP Rule 11(b)(2), and that if Appellant did not pay the fees or obtain an order allowing Appellant to proceed *in forma pauperis*, the record on appeal would not be prepared;

(3) On October 20, 2022, the Board extended the deadline for Appellant to file a Motion for Leave to Proceed on Appeal *In Forma Pauperis* to November 1, 2022;

(4) The appellate record does not indicate that Appellant filed here or with the Board a motion for leave to proceed on appeal *in forma pauperis*;

(5) On November 14, 2022, the appellate clerk entered a default of the record on appeal, informing Appellant that the time to docket the appeal had expired, Appellant had not paid the filing fee or obtained an order allowing Appellant to proceed on appeal *in forma pauperis*, the matter would be brought to the court's attention on November 25, 2022, for action that may include dismissal of the appeal, and Appellant could seek relief from default by motion;

(6) Appellant has not taken any further action in this appeal; and

(7) An appeal may be dismissed where the record on appeal has not been prepared because the appellant failed to pay the required fees or obtain an order allowing the appellant to proceed *in forma pauperis*. HRAP Rule 11(b)(2), (c)(2).

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

DATED: Honolulu, Hawai'i, June 15, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Karen T. Nakasone
Associate Judge