

NO. CAAP-22-0000550

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

JIM GOMEZ, Claimant-Appellant/Appellant, v.
CANTOR BROTHERS TRANSPORT SERVICES, INC.,
Employer-Appellee/Appellee, and
CRUM & FORSTER/CRUM & FORSTER INDEMNITY CO.,
Insurance Carrier-Appellee/Appellee, and
SPECIAL COMPENSATION FUND, Appellee/Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2018-169(WH))

ORDER DISMISSING APPEAL

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

Upon review of the record, it appears that:

- (1) On February 24, 2023, the court extended the opening brief deadline to March 29, 2023;
- (2) Claimant-Appellant/Appellant Jim Gomez (Gomez) failed to file the opening brief or request another extension of time;
- (3) On April 3, 2023, the appellate clerk entered a default notice informing Gomez that the time for filing the opening brief had expired, the matter would be called to the court's attention on April 13, 2023, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure (HRAP) Rule 30, and Gomez could request relief from default by motion; and
- (4) The appellate clerk mailed the default notice to Gomez at his address on record. The United States Postal Service returned the notice as undeliverable, with a notation forward

time expired, return to sender. Gomez has not filed a notice of change of address, consistent with HRAP Rule 25(f), and he took no further action in this appeal.

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

DATED: Honolulu, Hawai'i, June 22, 2023.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Karen T. Nakasone
Associate Judge