

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000659

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

ELENA DELA CRUZ, Claimant-Appellant-Appellant, v.
HYATT CORP., dba KA'ANAPALI ALI'I,
Employer-Appellee-Appellee, and
GALLAGHER BASSETT SERVICES, INC.,
Insurance Carrier-Appellee-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 2022-102; DCD NO. 7-22-00207)

ORDER DISMISSING APPEAL

(By: Hiraoka, Presiding Judge, Wadsworth and Guidry, JJ.)

Upon review of the record, it appears that:

(1) The statement of jurisdiction and opening brief were due on or before September 7, 2023, and October 9, 2023, respectively;

(2) Self-represented Claimant-Appellant-Appellant Elena Dela Cruz (**Dela Cruz**) failed to file either document, or request an extension of time;

(3) On October 17, 2023, the appellate clerk entered a notice of default, notifying Dela Cruz 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 27, 2023, for appropriate action, which could include dismissal of

the appeal under Hawai'i Rules of Appellate Procedure Rules 12.1(e) and 30, and Dela Cruz could request relief from default by motion; and

(4) Dela Cruz has not taken any further action in this appeal.

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

DATED: Honolulu, Hawai'i, November 16, 2023.

/s/ Keith K. Hiraoka
Presiding Judge

/s/ Clyde J. Wadsworth
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge