

**Electronically Filed  
Intermediate Court of Appeals  
CAAP-19-0000868  
28-MAR-2024  
01:49 PM  
Dkt. 135 ODMR**

NO. CAAP-19-0000868

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

MONICA G. SCARLETT, Claimant-Appellee-Appellant,  
v.  
MACY'S WEST STORES, INC., Employer-Appellant-Appellee,  
and  
SEDGWICK CMS-HAWAII, Third-Party Administrator-  
Appellant-Appellee

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
(CASE NO. AB 2018-091 AND DCD NO. 2-17-05258)

**ORDER**

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

Upon review of "Claimant-Appellee-Appellant Monica G. **Scarlett's Motion for Reconsideration** of Notice of Untimely Request for Extension Dated March 14, 2024" filed on March 22, 2024, the papers in support, and the record, it appears that:

1. The **Judgment on Appeal** was entered on February 9, 2024;
2. An application for a writ of certiorari under Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 40.1(a)(1) or a request for an extension of time to apply for a writ of certiorari under HRAP Rule 40.1(a)(2) was due on Monday, March 11, 2024;
3. Our February 28, 2024 Order extending the deadline for us to rule on Scarlett's February 20, 2024 motion for

reconsideration was entered under HRAP Rule 40(d), and did not extend the time for Scarlett to apply for a writ of certiorari or to request an extension of time to file an application for a writ of certiorari; and

4. Scarlett's request for extension of time to file application for writ of certiorari was filed on March 13, 2024, more than 30 days after entry of the Judgment on Appeal, and was untimely.

Therefore, IT IS HEREBY ORDERED that the Motion for Reconsideration is denied.

DATED: Honolulu, Hawai'i, March 28, 2024.

/s/ Katherine G. Leonard  
Acting Chief Judge

/s/ Keith K. Hiraoka  
Associate Judge

/s/ Clyde J. Wadsworth  
Associate Judge