

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 28016

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

FREDRENE K. BALANAY, Claimant-Appellant,
v.
SHIMA'S MARKET, INC., and
ISLAND INSURANCE COMPANY, LTD.,
Employer/Insurance Carrier-Appellees

K. HAMAKAHO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2006 OCT -5 PM 12:26

FILED

APPEAL FROM LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB-2005-004 (2-04-01912))

ORDER DENYING THE OCTOBER 2, 2006 MOTION FOR RECONSIDERATION
(By: Burns, C.J., Lim and Foley, JJ.)

Upon review of (1) the September 26, 2006 order dismissing Claimant-Appellant Fredrene K. Balanay's (Appellant Balanay) untimely appeal from the State of Hawaii Labor and Industrial Relations Appeals Board's April 27, 2006 decision and order and May 30, 2006 order denying Appellant Balanay's motion for reconsideration, (2) Appellant Balanay's October 2, 2006 motion for reconsideration of the September 26, 2006 dismissal order pursuant to Rule 40 of the Hawaii Rules of Appellate Procedure, and (3) the record,

IT IS HEREBY ORDERED that Appellant Balanay's October 2, 2006 motion for reconsideration is denied.

DATED: Honolulu, Hawaii, October 5, 2006.

James S. Burns
Chief Judge

[Signature]
Associate Judge

Daniel R. Foley
Associate Judge