

NO. 23749

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CYNTHIA M. CHAPMAN, Claimant-Appellee

vs.

GTE HAWAIIAN TELEPHONE CO., INC., and TRAVELERS INSURANCE
COMPANY, Employer/Insurance Carrier-Appellants

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD
(CASE NO. AB 98-341 (2-97-18328))

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that: (1) the June 16, 2000 decision and order of the Labor and Industrial Relations Appeals Board determining claimant's injury is compensable is not an appealable final order inasmuch as the matter of benefits, if any, has not been determined; see Williams v. Kleenco, 2 Haw. App. 219, 629 P.2d 125 (1981); Mitchell v. State, Dept. of Educ., 77 Hawai'i 305, 884 P.2d 368 (1994); (2) the June 16, 2000 decision and order is not an appealable preliminary ruling inasmuch as deferring review of the decision pending entry of a final decision would not deprive Appellant of adequate relief; (3) the June 16, 2000 decision and order is not appealable under our holding in Bocalbos v. Kapiolani Medical Center, 89 Hawai'i 436, 974 P.2d 1026 (1999); and thus, (4) we lack jurisdiction over this appeal. HRS §§ 91-14(a) and 386-88. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, January 3, 2001.