

NO. 22869

IN THE SUPREME COURT OF THE STATE OF HAWAII

CHARLENE L NOBRIGA, Claimant-Appellant,

vs.

DELTA AIRLINES, INC., Employer-Appellee,
and CIGNA, Insurance Carrier-Appellee.

APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS BOARD
(CASE. NO. AB 96-623)
(2-95-18740)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Ramil, JJ., and
Circuit Court Judge Town, Assigned by Reason of Vacancy)

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments made and the issues raised by the parties, it is apparent that the claimant-appellant Charlene L. Nobriga has failed to comply with the requirements of Hawai'i Rules of Appellate Procedure Rule 28(b), which, in itself, provides a sufficient basis for affirming the decision and order of the Labor and Industrial Relations Board. See Bettencourt v. Bettencourt, 80 Hawai'i 225, 228, 909 P.2d 553, 556 (1995). This court has consistently adhered to the policy of affording litigants the opportunity to have their cases heard on the merits, where possible. Id. at 230, 909 P.2d at 558. Notwithstanding such policy, we are unable to consider the merits of Nobriga's appeal because she has failed to articulate any points of error in her opening brief that we are able to address. Therefore,

IT IS HEREBY ORDERED that the decision and order of the Labor and Industrial Relations Board, filed on September 7, 1999, from which the appeal is taken, is affirmed.

DATED: Honolulu, Hawai'i, May 18, 2001.

On the briefs:

Charlene L. Nobriga,
claimant-appellant
pro se

Amy R. Kondo (of Wong,
Oshima & Kondo), for
the employer-appellee
Delta Airlines, Inc.,
and insurance carrier-
appellee Cigna