

*** NOT FOR PUBLICATION ***

NO. 24310

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHRISTINE B. HIROSANE, Petitioner-Appellant

vs.

ADMINISTRATIVE DIRECTOR OF THE COURTS, STATE OF HAWAI'I,
Respondent-Appellee

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. JR 01-0015)

SUMMARY DISPOSITION ORDER

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

Petitioner-appellant Christine B. Hirosane appeals from the May 7, 2001 judgment of the district court of the first circuit, the Honorable Russell Blair presiding, affirming the administrative revocation of Hirosane's license by the Administrative Director of the Courts, State of Hawai'i. On appeal, Hirosane argues that "the district court erred in upholding the hearings officer's finding that the evidence in this case proved by a preponderance that Hirosane refused to submit to a breath or blood test after being informed of the sanctions of [HRS] chapter 286"

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised, we hold that the district court did not err by affirming the hearing officer's revocation of Hirosane's driver's license, inasmuch as Hirosane does not dispute and the record supports the hearing officer's conclusions that (1) Hirosane "was involved in a motor vehicle collision vesting the police with reasonable suspicion to detain [Hirosane] during its investigation," (2) "[t]here existed reasonable suspicion for the stop of [Hirosane's] motor vehicle," (3) "[t]here existed probable cause to believe that [Hirosane]

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drove, operated, or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor," and (4) "[t]he evidence proves by a preponderance that [Hirosane] drove, operated, or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor." See HRS §§ 286-259(e) (1), (2), and (3) (Supp. 2000). As such, this court need not address whether Hiropane was informed of the sanctions for refusing to take a breath or blood test. See Spock v. Admin. Dir. of Courts, 96 Hawai'i 190, 193, 29 P.3d 380, 383 (2001). Therefore,

IT IS HEREBY ORDERED that the judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawai'i, August 19, 2004.

On the briefs:

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