

NO. 22031

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

JERRY PACARIEM,	)	S.P.P. NO. 97-0043
	)	(CR. NO. 91-0729)
Petitioner-Appellant,	)	
	)	APPEAL FROM THE CIRCUIT
vs.	)	COURT OF THE FIRST CIRCUIT
	)	
STATE OF HAWAI'I,	)	
	)	
Respondent-Appellee,	)	
_____	)	

SUMMARY DISPOSITION ORDER

After carefully reviewing the record and the briefs submitted by the parties and duly considering and analyzing the law relevant to the arguments and issues raised by the parties, we conclude that the claims raised by Petitioner-Appellant Jerry Pacariem in his Hawai'i Rules of Penal Procedure (HRPP) Rule 40 Petition for Post-Conviction Relief were either not properly presented for appeal, previously ruled upon, waived, or not colorable. Accordingly,

IT IS HEREBY ORDERED that the October 5, 1998 Findings of Fact, Conclusions of Law and Order Denying Request for Hearing on Rule 40 Petition is affirmed.

DATED: Honolulu, Hawaii, June 28, 2000.

On the briefs:

Richard T. Pafundi for  
petitioner-appellant.

JAMES S. BURNS  
Chief Judge

Alexa D. M. Fujise,  
Deputy Prosecuting Attorney,  
City and County of Honolulu,  
for respondent-appellee.

CORINNE K. A. WATANABE  
Associate Judge

JOHN S. W. LIM  
Associate Judge