

NO. 24505

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
BILLIE JEAN WALDEN, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(Cr. No. 00-1-0255(1))

SUMMARY DISPOSITION ORDER

(By: Burns, C.J., Watanabe, and Foley, JJ.)

Defendant-Appellant Billie Jean Walden (Walden) appeals from the Amended Judgment, Guilty Conviction and Sentence, entered by the Circuit Court of the Second Circuit (the circuit court), Judge Artemio C. Baxa presiding, on September 13, 2001 (the Amended Judgment), convicting and sentencing her for Promoting a Dangerous Drug in the Third Degree, in violation of Hawaii Revised Statutes (HRS) § 712-1243(1) (1993), Prohibited Acts Related to Drug Paraphernalia, in violation of HRS § 329-43.5(a) (1993), and Driving without a License, in violation of HRS § 286-102(a) (1993).

Walden contends that the Amended Judgment should be vacated because: (1) she did not knowingly and intelligently waive her right to a jury trial; (2) the circuit court violated

her constitutional right to confront a prosecution witness when it (a) refused to let her trial counsel question the witness about with whom the witness lived in November 1999, and (b) precluded her trial counsel from asking the witness about the witness's possible connections to police; and (3) the circuit court erred by denying her trial counsel's motion to withdraw before trial.

Upon carefully reviewing the record and the briefs submitted by the parties and having duly considered the case law and statutes relevant to the arguments advanced by the parties, we disagree with Walden. Accordingly, we affirm the Amended Judgment.

DATED: Honolulu, Hawai'i, February 24, 2003.

On the briefs:

Chief Judge

Matthew S. Kohm for
defendant-appellant.

Associate Judge

Mark S. Simonds, Deputy
Prosecuting Attorney,
County of Maui for
plaintiff-appellee.

Associate Judge