

NOT FOR PUBLICATION

NO. 24511

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
LINDSAY LINDSEY, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(Cr. No. 97-112K)

SUMMARY DISPOSITION ORDER

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

Defendant-Appellant Lindsay Lindsey (Lindsey) appeals from the July 9, 2001 Amended Judgment of the Circuit Court of the Third Circuit (the circuit court), the Honorable Greg K. Nakamura presiding, convicting him of Escape in the Second Degree, in violation of Hawaii Revised Statutes § 710-1021 (1993).

Lindsey argues that his conviction should be reversed or vacated because:

(1) "The lower court lacked personal and subject matter jurisdiction over [Lindsey]";

(2) "The June 20, 1997 Sentence/Mittimus giving rise to the offense, violated [Lindsey's] due process rights";

(3) "[Lindsey's] constitutional rights to represent himself and to meaningful assistance of counsel, and due process in connection therewith, were violated";

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(4) "[Lindsey] was entitled to the benefits of the plea agreement, and a conditional DANC plea should have entered on another offense"; and

(5) "[Lindsey's] constitutional rights were violated in the jury selection process[.]"

After carefully reviewing the record and the briefs submitted by the parties, we conclude that none of Lindsey's claims have any support in the record or in the law.

The circuit court's July 9, 2001 Amended Judgment, convicting Lindsey of Escape in the Second Degree, is therefore affirmed.

DATED: Honolulu, Hawai'i, April 16, 2003.

On the briefs:

Lila Barbara Kanae for
defendant-appellant.

Kevin S. Hashizaki,
Deputy Prosecuting Attorney,
County of Hawai'i, for
plaintiff-appellee.