

NOT FOR PUBLICATION

NO. 24845

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
STEVE TATAII, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(Cr. No. 01011941)

SUMMARY DISPOSITION ORDER

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

Defendant-Appellant Steven Tataii (Tataii) appeals from the December 7, 2001 Judgment of the District Court of the First Circuit (the district court), Judge Tenney Z. Tongg presiding, convicting Tataii of Harassment, in violation of Hawaii Revised Statutes § 711-1106(1)(a) (Supp. 2001).

Tataii argues on appeal that the Judgment should be vacated or reversed because:

(1) The district court grossly abused its discretionary power by ignoring Tataii's legal as well as constitutional rights, conducting trial "in the most unfair and outlaw fashion[,]" and acting with "maximum bias" (bolded emphasis omitted);

(2) The district court ignored Tataii's right to "freely cross-examine" the complaining witness;

(3) The district court denied Tataii's request to introduce certain written statements into evidence;

(4) The district court violated Tataii's right to fire his fourth court-appointed attorney, Randal Shintani;

(5) The record shows that there was insufficient evidence to support Tataii's conviction; and

(6) The district court abused its discretion by basing its decision "speculatively, and on mere assumptions, hence dirt[ying its] hands with deliberately imposing a guilty sentence upon [Tataii]." (Bolded emphasis omitted.)

Having reviewed the record and the case law relevant to this appeal, we conclude that Tataii's assertions have no merit. Accordingly, we affirm the December 7, 2001 district court Judgment, convicting Tataii of and sentencing him for Harassment.

DATED: Honolulu, Hawai'i, August 18, 2003.

On the briefs:

Steve Tataii,
defendant-appellant, pro se.

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