

NOT FOR PUBLICATION

NO. 25315

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
SAMSON L. BROWN, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH HILO DIVISION
(Citation Nos. 1730154MH, et al.)

SUMMARY DISPOSITION ORDER

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

In this appeal, Defendant-Appellant Samson L. Brown (Brown) challenges his conviction and sentence, orally pronounced by the District Court of the Third Circuit (the district court)¹ on August 12, 2002 and memorialized in written judgments filed on September 19, 2003, for: (1) one count of not having a driver's license, in violation of Hawaii Revised Statutes (HRS) § 286-102(a) (1993); (2) two counts of not having no-fault insurance, in violation of HRS § 431:10C-104(a) and (b) (Supp. 2002); and (3) two counts of not having motor vehicle license plates, in violation of HRS § 249-7(b) (1993).

Brown appears to raise three arguments on appeal. First, he contends that the use of county police officers to enforce traffic laws on Hawaiian Home Lands is in conflict with "governing compacts between Hawaii and the United States implement [sic] 67th Congress authority over Homesteader Act

^{1/} Judge Sandra Schutte was the presiding judge.

1920." Second, Brown argues that "[t]he state enforcement of 'traffic law' upon Hawaiian Home Land conflicts with Congress' Homestead Act, 1920, in violation of [his] rights and due process clause[.]" Finally, Brown maintains that the district court did not have jurisdiction over this case, which involves traffic citations issued on Hawaiian Home lands.

Upon carefully reviewing the record and the briefs submitted by the parties and having duly considered the statutes and case law relevant to the arguments advanced by the parties, particularly State v. Jim, 80 Hawai'i 168, 907 P.2d 754 (1995), we disagree with Brown.

Accordingly, we affirm the judgments from which this appeal was taken.

DATED: Honolulu, Hawai'i, November 7, 2003.

On the briefs:

Samson L. Brown,
defendant-appellant, pro se.

William B. Heflin,
deputy prosecuting attorney,
County of Hawai'i for
plaintiff-appellee.