

NOT FOR PUBLICATION

NO. 25641

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

HANA KUBECKOVA, Plaintiff-Appellant, v.
CITY AND COUNTY OF HONOLULU, Defendant-Appellee, and
JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10;
DOE PARTNERSHIPS 1-10; DOE NON-PROFIT ENTITIES 1-10; and
DOE GOVERNMENTAL ENTITIES 1-10, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIV. NO. 00-1-1207)

SUMMARY DISPOSITION ORDER

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

Hana Kubeckova appeals the January 21, 2003 judgment of the Circuit Court of the First Circuit (circuit court), the Honorable Dexter D. Del Rosario, judge presiding.

After a meticulous review of the record and the briefs submitted by the parties, and giving careful consideration to the arguments advanced and the issues raised by the parties, we conclude:

(1) The jury instructions at issue on appeal were "supported or warranted by the evidence adduced at trial." Loevsky v. Carter, 70 Haw. 419, 433, 773 P.2d 1120, 1128-29 (1989) (citing Gelber v. Sheraton-Hawaii Corp., 49 Haw. 327, 417 P.2d 638 (1966); Tanuvasa v. City & County, 2 Haw. App. 102, 626 P.2d 1175 (1981)).

(2) The jury's verdict was supported by substantial evidence adduced at trial, and was not "against the manifest weight of the evidence." Stallworth v. Boren, 99 Hawai'i 287,

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307, 54 P.3d 923, 943 (App. 2002) (citation and internal quotation marks omitted).

Therefore,

IT IS HEREBY ORDERED that the January 21, 2003 judgment of the circuit court is affirmed.

DATED: Honolulu, Hawai'i, May 18, 2005.

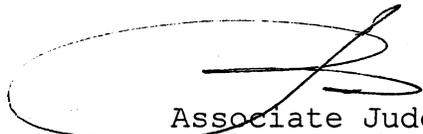
On the briefs:

Ian L. Mattoch and
Mark F. Gallagher
(Law Offices of Ian L. Mattoch),
for plaintiff-appellant.

Marie Manuele Gavigan and
Derek T. Mayeshiro,
Deputies Corporation Counsel,
City and County of Honolulu,
for defendant-appellee.


Chief Judge


Associate Judge


Associate Judge