
NOT FOR PUBLICATION

NO. 25844

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
SHANE L. EDRALIN, Defendant-Appellant,
and CYNTHIA CHEONG, Defendant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 02-1-0066)

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2005 MAY 31 AM 10:16

FILED

SUMMARY DISPOSITION ORDER

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

Shayne Lawrence Edralin (Defendant) appeals the April 21, 2003 judgment, as amended on May 8, 2003, that the Circuit Court of the First Circuit (circuit court)¹ entered upon a plea of guilty conditioned on Defendant's appeal of the circuit court's March 4, 2003 order² that partially denied his June 3, 2002 motion to suppress.

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 that (1) the strip search of Defendant was reasonable under the circumstances, State v. Bayaoa, 66 Haw. 21, 28, 656 P.2d 1330, 1335 (1982); and (2) Defendant was not subject to a custodial interrogation requiring Miranda warnings, Cervantes

¹ The Honorable Victoria S. Marks presided.

² The Honorable Karen S.S. Ahn presided.

v. Walker, 589 F.2d 424, 428-29 (9th Cir. 1978), hence, the "fruit of the poisonous tree" doctrine is inapplicable here. See State v. Fukusaku, 85 Hawai'i 462, 475, 946 P.2d 32, 45 (1997).

Therefore,

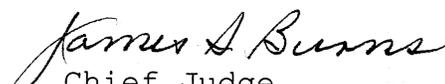
IT IS HEREBY ORDERED that the April 21, 2003 judgment of the circuit court, as amended on May 8, 2003, is affirmed.

DATED: Honolulu, Hawai'i, May 31, 2005.

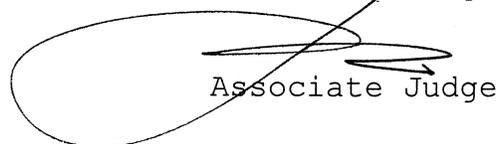
On the briefs:

Nelson W.S. Goo,
for defendant-appellant.

Daniel H. Shimizu,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for plaintiff-appellee.


Chief Judge


Associate Judge


Associate Judge