

NOT FOR PUBLICATION

NO. 26847

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
JOELLE DELA CRUZ, Defendant-Appellant

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT

(FC-CR. NO. 04-1-1482)

SUMMARY DISPOSITION ORDER

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

Joelle N. Dela Cruz (Defendant) appeals the August 30, 2004 judgment of the Family Court of the First Circuit (family court)¹ that convicted him of abuse of a family or household member.

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 hold that there was substantial evidence to support the conclusion of the trier of fact, State v. Richie, 88 Hawai'i 19, 33, 960 P.2d 1227, 1241 (1998), including substantial evidence that Defendant acted intentionally, knowingly or recklessly and not in self-defense. State v. Pulse, 83 Hawai'i 229, 244-45, 925 P.2d 797, 812-13 (1996); State v. Chun, 93 Hawai'i 389, 397, 4 P.3d 523, 531 (App. 2000); State v. Stuart, 51 Haw. 656, 659, 466 P.2d 444, 446 (1970).

Therefore,

¹ The Honorable Reynaldo D. Gaulty presided.

K. HAMAKADO
CLERK, APPELLATE COURT
STATE OF HAWAII

2005 DEC 28 AM 8:42

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IT IS HEREBY ORDERED that the August 30, 2004 judgment of the family court is affirmed.

DATED: Honolulu, Hawai'i, December 28, 2005.

On the briefs:

Crystal G.K. Glendon,
Deputy Public Defender,
for Defendant-Appellant.

Ryan Yeh,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.



Acting Chief Judge



Associate Judge



Associate Judge