

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 27305

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
HILARIO P. CALIPJO, JR., Defendant-Appellant

KHAMAKA'AO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2006 AUG 10 AM 8:59

FILED

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
(CASE NO. 49: 04/28/05)

SUMMARY DISPOSITION ORDER

(By: Lim and Nakamura, JJ.; with Burns, C.J., concurring separately and dissenting)

Hilario P. Calipjo, Jr. (Defendant) appeals the February 14, 2006 judgment of the District Court of the Second Circuit (district court)¹ that convicted him of racing on highways at a speed exceeding the posted speed limit by thirty miles per hour or more.

Defendant avers on a number of arguments that the evidence adduced at trial was insufficient to convict and sentence him under Hawaii Revised Statutes §§ 291C-103(a), -103(c) and -103(f) (1993 & Supp. 2005). 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 there was substantial evidence to support Defendant's conviction and sentence. State v. Eastman, 81 Hawai'i 131, 135, 139, 913 P.2d 57, 61, 65 (1996).

Therefore,

¹ The Honorable Douglas H. Ige presided.

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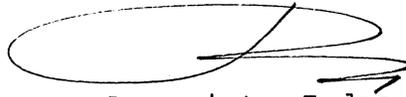
IT IS HEREBY ORDERED that the district court's February 14, 2006 judgment is affirmed.

DATED: Honolulu, Hawai'i, August 10, 2006.

On the briefs:

Anthony L. Ranken,
(Ranken & Drewyer)
for Defendant-Appellant.

Arleen Y. Watanabe,
Deputy Prosecuting Attorney,
County of Maui,
for Plaintiff-Appellee.



Associate Judge

Craig A. Makamun
Associate Judge