

NO. 27675

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
DESMOND DOMINGO, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CR. NO. 05-1-0024(2))

E.M. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

SUMMARY DISPOSITION ORDER

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

Desmond Domingo (Defendant) appeals the November 29, 2005 judgment of the Circuit Court of the Second Circuit (circuit court)¹ that convicted him of promoting a dangerous drug in the first degree, unlawful methamphetamine trafficking, unlawful possession of drug paraphernalia and promoting a harmful drug in the fourth degree. The convictions were based upon Defendant's no contest pleas, which were conditioned on this appeal of the circuit court's July 25, 2005 order denying his 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 hold that the circuit court's denial of Defendant's motion to suppress, based upon the plain view doctrine, see State v. Meyer, 78 Hawai'i 308, 314, 893 P.2d 159, 165 (1995), was the right result. State v. Jenkins, 93 Hawai'i 87, 100, 997 P.2d 13, 26

¹

The Honorable Shackley F. Raffetto presided.

(2000).

Therefore,

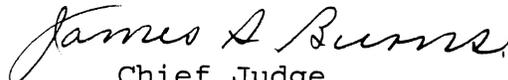
IT IS HEREBY ORDERED that the November 29, 2005
judgment of the circuit court is affirmed.

DATED: Honolulu, Hawai'i, November 13, 2006.

On the briefs:

Richard D. Gronna,
for Defendant-Appellant.

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


Chief Judge


Associate Judge


Associate Judge