

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

NO. 26835

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
JAMES KALILI, Defendant-Appellant

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 MAR 14 AM 9:45

FILED

APPEAL FROM THE CIRCUIT COURT OF THE THIRD CIRCUIT
(CR. NOS. 04-1-0087K and 04-1-0089K)

SUMMARY DISPOSITION ORDER

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

James Kalili (Defendant) appeals the August 24, 2004 judgment of the Circuit Court of the Third Circuit (circuit court),¹ filed in Cr. Nos. 04-1-0087K and 04-1-0089K (consolidated), that convicted him of two park visiting hours offenses.

After a painstaking 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 Defendant has failed "to establish that his or her conduct [was] constitutionally protected as a native Hawaiian right[.]" State v. Hanapi, 89 Hawai'i 177, 185-86, 970 P.2d 485, 493-94 (1998).

Therefore,

¹ The Honorable Ronald Ibarra presided.

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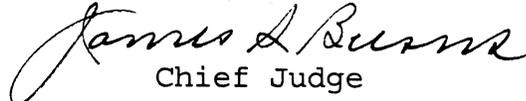
IT IS HEREBY ORDERED that the August 24, 2004 judgment of the circuit court is affirmed.

DATED: Honolulu, Hawai'i, March 14, 2007.

On the briefs:

James Kalili,
Defendant-Appellant,
pro se.

Linda L. Walton,
Deputy Prosecuting Attorney,
County of Hawai'i,
for Plaintiff-Appellee.


Chief Judge


Associate Judge


Associate Judge