

NO. 27702

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
ALBERT BARONA, Defendant-Appellant, and
KELII ENOMOTO, Defendant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 02-1-2277)

SUMMARY DISPOSITION ORDER

(By: Watanabe, Presiding Judge, Lim and Nakamura, JJ.)

Albert Barona (Defendant) appeals the December 8, 2005 amended judgment that the Circuit Court of the First Circuit (circuit court)¹ entered after re-sentencing him according to our disposition of his first appeal.

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 the circuit court did not err in re-sentencing Defendant. State v. Okumura, 78 Hawai'i 383, 413-14, 894 P.2d 80, 110-11 (1995); State v. Tamura, 63 Haw. 636, 639, 633 P.2d 1115, 1118 (1981); State v. Rivera, 106 Hawai'i 146, 160-61, 102 P.3d 1044, 1058-59 (2004); State v. White, 110 Hawai'i 79, 81 n.4, 129 P.3d 1107, 1109 n.4 (2006).

Therefore,

¹ The Honorable Karen S.S. Ahn presided.

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IT IS HEREBY ORDERED that the circuit court's December 8, 2005 amended judgment is affirmed.

DATED: Honolulu, Hawai'i, February 5, 2007.

On the briefs:

Shawn A. Luiz,
for Defendant-Appellant.

Stephen K. Tsushima,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.


Presiding Judge


Associate Judge


Associate Judge