

NO. 27799

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
KUN OK CHO, Defendant-Appellant

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2007 APR 30 AM 7:54

FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD Cr. No. 02211575)

SUMMARY DISPOSITION ORDER

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

Defendant-Appellant Kun Ok Cho (Cho) appeals from the judgment of the District Court of the First Circuit¹ (the district court) filed on February 1, 2006, convicting and sentencing her for prostitution, in violation of Hawaii Revised Statutes § 712-1200 (1993).

Cho contends that the district court erred when it:

(1) denied her motion to dismiss the case against her for "outrageous police conduct" that "violated due process of law[,] and (2) denied her motion for judgment of acquittal.

Upon review of the record and the briefs submitted by the parties and having duly considered the case law and statutes relevant to the arguments advanced by the parties, particularly United States v. Russell, 411 U.S. 423 (1973), State v. Tookes,

¹ The Honorable Lono J. Lee presided.

67 Haw. 608, 699 P.2d 983 (1985), and State v. Agrabante, 73 Haw. 179, 830 P.2d 492 (1992), we disagree with Cho.

Accordingly, we affirm the judgment of the district court.

DATED: Honolulu, Hawai'i, April 30, 2007.

On the briefs:

Dwight C. H. Lum and
Reginald P. Minn
for defendant-appellant.

Stephen K. Tsushima,
deputy prosecuting attorney,
City and County of Honolulu,
for plaintiff-appellee.

Corinne K.A. Watanabe
Deniel R. Foley
Craig H. Nakamura