

NO. 28053

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
LIGAYA DELA CRUZ, aka JOY, Defendant-Appellant

EM. RIMANDO
CLERK, APPELLATE COURT
STATE OF HAWAII

2008 NOV 19 AM 9:07

FILED

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CRIMINAL NO. 01-1-2498)

SUMMARY DISPOSITION ORDER

(By: Recktenwald, C.J., Nakamura and Leonard, JJ.)

Defendant-Appellant Ligaya Dela Cruz, aka Joy (**Dela Cruz**), appeals from the Order of Resentencing; Revocation of Probation (**Revocation Order**), filed on July 17, 2006, in the Circuit Court of the First Circuit (**Circuit Court**).^{1/} The Circuit Court resentenced Dela Cruz to a term of five years of imprisonment to run concurrently with her sentence in Cr. No. 04-1-2506. Dela Cruz timely filed her Notice of Appeal.

Dela Cruz raises one point of error. She contends that because her felony convictions in Cr. No. 04-1-2506 should be overturned on appeal, the Revocation Order also should be reversed.

On January 9, 2008, this court affirmed the Judgment of Conviction and Sentence in Criminal Number 04-1-2506. State v. Dela Cruz, 116 Hawai'i 464, 173 P.3d 611 (App. 2008). On October 28, 2008, the Hawai'i Supreme Court rejected Dela Cruz's application for a writ of certiorari in Cr. No. 04-1-2506. State v. Dela Cruz, 2008 WL 4750794 (Hawai'i 2008).

^{1/} The Honorable Richard W. Pollack presided.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

Therefore, we affirm the Circuit Court's July 17, 2006 Revocation Order.

DATED: Honolulu, Hawai'i, November 19, 2008.

On the briefs:

Brandon K. Flores
for Defendant-Appellant

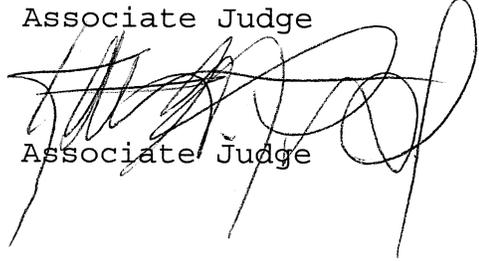
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for Plaintiff-Appellee



Chief Judge



Associate Judge



Associate Judge