

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28983

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
NAM YOL IMURA, Defendant-Appellant

K. HAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT,
HONOLULU DIVISION
(HPD Criminal No. 07297231 (1P1070013208))

SUMMARY DISPOSITION ORDER

(By: Foley, Presiding Judge, Nakamura and Leonard, JJ.)

Defendant-Appellant Nam Yol Imura (Imura) appeals from the Judgment filed on January 4, 2008 in the District Court of the First Circuit, Honolulu Division (district court).¹

On January 3, 2008, the district court convicted Imura of Prostitution, in violation of Hawaii Revised Statutes (HRS) § 712-1200 (1993 & Supp. 2007).

On appeal, Imura contends (1) the district court erred by denying her oral motion for judgment of acquittal because there was no evidence that she offered sexual conduct in exchange for money and (2) there was insufficient evidence to convict her of Prostitution.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, we resolve Imura's points of error as follows:

(1) The district court correctly interpreted "fee" to include an item of value, not limited to money, and thus, correctly ruled that buying a \$20 drink constituted a "fee" within the meaning of HRS § 712-1200.

¹

The Honorable Lono J. Lee presided.

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(2) There was substantial evidence to convict Imura of Prostitution. State v. Eastman, 81 Hawai'i 131, 135, 913 P.2d 57, 61 (1996).

Therefore,

IT IS HEREBY ORDERED that the Judgment filed on January 4, 2008 in the District Court of the First Circuit, Honolulu Division, is affirmed.

DATED: Honolulu, Hawai'i, November 24, 2008.

On the briefs:

S. Raymond Okuma
Roland Nip
for Defendant-Appellant.

Delanie D. Prescott-Tate,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.


Presiding Judge


Associate Judge


Associate Judge