

DISSENT BY MOON, C.J., IN WHICH NAKAYAMA, J., JOINS

I respectfully dissent. Given the prerogative of the jury to determine the credibility of the witnesses and the weight of the evidence, State v. Pulse, 83 Hawai'i 229, 244-45, 925 P.2d 797, 812-13 (1996), and to make all reasonable and rational inferences under the facts in evidence, including circumstantial evidence, State v. Eastman, 81 Hawai'i 131, 135, 913 P.2d 57, 61 (1996), I believe that there was substantial evidence to support the jury's verdicts.

Accordingly, I would affirm the Circuit Court of the Second Circuit's July 8, 2005 amended judgment.

  
Jimu Nakayama