

NO. 23467

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v.
TERRY M. TURNER, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(D.C. NO. 98-195062)

SUMMARY DISPOSITION ORDER

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

In accordance with Hawaii Rules of Appellate Procedure Rule 35, and after carefully reviewing the record and the briefs submitted by the parties, and duly considering and analyzing the law relevant to the arguments and issues raised by the parties, we conclude that the district court¹ properly exercised its jurisdiction over Defendant-Appellant Terry M. Turner (Turner) by accepting his no contest plea after examinations pursuant to Hawaii Revised Statutes § 704-404 established that Turner was fit to proceed, therefore,

IT IS HEREBY ORDERED that the March 28, 2000, Order Summarily Denying Rule 40 Petition Without Hearing and the

¹ The Honorable Russel S. Nagata presided.

April 19, 2000 Order, Summarily Denying Motion for
Reconsideration from which the appeal is taken, are affirmed.

DATED: Honolulu, Hawaii, November 5, 2001.

On the briefs:

Terry M. Turner,
pro se petitioner-appellant.

Acting Chief Judge

Mangmang Qiu Brown,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for plaintiff-appellee.

Associate Judge

Associate Judge