

NOT FOR PUBLICATION

NO. 26823

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
LUTHER S. WILLIAMS, Defendant-Appellant

NORMA T. YARA
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

2005 NOV 16 AM 10:20

FILED

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(HPD Traffic No. 003367800)

SUMMARY DISPOSITION ORDER

(By: Burns, C.J., Lim and Nakamura, JJ.)

Luther Santoria Williams (Defendant) appeals the September 13, 2004 judgment of the District Court of the First Circuit (district court)¹ that convicted him of driving under the influence of an intoxicant.

After a meticulous review of the record and the briefs submitted by the parties, and giving careful consideration to the arguments advanced and the issues raised by the parties, we conclude (1) there was substantial evidence to support the conclusion of the trier of fact, State v. Richie, 88 Hawai'i 19, 33, 960 P.2d 1227, 1241 (1998); hence, (2) the district court did not offend Defendant's due process rights.

¹ The Honorable William Cardwell presided.

NOT FOR PUBLICATION

Therefore,

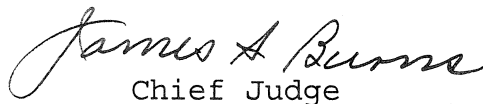
IT IS HEREBY ORDERED that the September 13, 2004 judgment of the district court is affirmed.

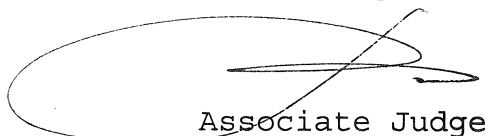
DATED: Honolulu, Hawai'i, November 16, 2005.

On the briefs:

Earle A. Partington
for Defendant-Appellant.

Ryan Yeh,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.


Chief Judge


Associate Judge


Associate Judge