

NO. 27217

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
RENNY K. KALAI, Defendant-Appellant, and
PELE K. KOTANI, JR., and HANAIEI D. YOST, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 03-1-1215)

SUMMARY DISPOSITION ORDER

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

Renny K. Kalai, Sr. (Defendant) appeals the March 8, 2005 judgment of the Circuit Court of the First Circuit (circuit court)¹ that convicted him, upon his plea of no contest, of promoting a dangerous drug in the second degree.

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 hold that the circuit court did not abuse its discretion when it denied Defendant's pre-sentence motions to withdraw his no contest plea, because Defendant failed to present a fair and just reason for granting his motions. State v. Gomes, 79 Hawai'i 32, 36, 39, 897 P.2d 959, 963, 966 (1995).

Therefore,

¹

The Honorable Karl K. Sakamoto presided.

EM. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAI'I

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FILED

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

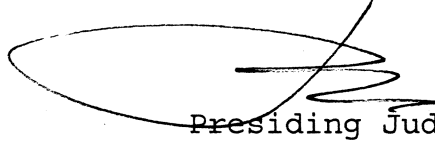
IT IS HEREBY ORDERED that the March 8, 2005 judgment of the circuit court is affirmed.

DATED: Honolulu, Hawai'i, November 13, 2006.

On the briefs:

Jeffrey A. Hawk,
(Hawk Sing & Ignacio)
for Defendant-Appellant.

Loren J. Thomas,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.


Presiding Judge


Associate Judge


Associate Judge