

NO. 26606

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

VICTOR PAUL BEEBE, Petitioner-Appellant, v.
ADMINISTRATIVE DIRECTOR OF THE COURTS, STATE OF HAWAII,
Respondent-Appellee

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(JR04-0006; Original Case No. 03-03931)

SUMMARY DISPOSITION ORDER

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

In this secondary appeal, Victor Paul Beebe (Beebe) appeals the judgment on appeal entered by the District Court of the First Circuit (district court)¹ on May 13, 2004. Beebe also appeals the underlying decision and order of even date, in which the district court affirmed the administrative revocation of Beebe's driver's license by the Administrative Director of the Courts, State of Hawaii (the Director).

Given the prerogative of the finder of fact to determine the credibility of the witnesses and the weight of the evidence, State v. Taliferro, 77 Hawaii 196, 201, 881 P.2d 1264, 1269 (App. 1994), and to make all reasonable and rational inferences under the facts in evidence, including circumstantial evidence, State v. Eastman, 81 Hawaii 131, 135, 913 P.2d 57, 61 (1996), we conclude there was substantial evidence to support the Director's finding that the police issued the notice of

¹ The Honorable Faye M. Koyanagi presided.

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administrative revocation to Beebe. Hence, that finding was not clearly erroneous. Freitas v. Admin. Dir. of the Courts, 108 Hawai'i 31, 36-37, 116 P.3d 673, 678-79, cert. denied, __ U.S. __, 126 S. Ct. 715 (2005).

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 affirm the district court's May 13, 2004 judgment on appeal and its underlying decision and order of even date.

DATED: Honolulu, Hawai'i, December 29, 2006.

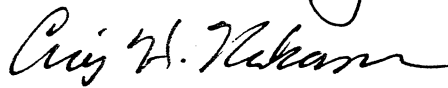
On the briefs:

Matthew A. Horn,
for Petitioner-Appellant.

Girard D. Lau and
Kimberly Tsumoto,
Deputy Attorneys General,
State of Hawai'i,
for Respondent-Appellee.


Presiding Judge


Associate Judge


Associate Judge