

NO. 29859

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

WILLARD M. IMAMOTO, Plaintiff-Appellant
v.
HAWAII STATE HOSPITAL, DR. JULIE TRIHN,
RUPERT GOETZ, CHIYOMI FUKINO, JAMIE ROMAN,
DUDLEY AKAMA, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CV. NO. 08-1-0823)

SUMMARY DISPOSITION ORDER

(By: Nakamura, Chief Judge, and Fujise and Leonard, JJ.)

Plaintiff-Appellant Willard Max Imamoto (Imamoto), proceeding pro se, appeals from the May 22, 2009, Judgment filed in the Circuit Court of the First Circuit (Circuit Court)¹ against Imamoto and in favor of Defendants-Appellees Julie Trihn, M.D. (Dr. Trihn), Chiyomi Fukino, M.D. (Dr. Fukino), Dudley Akama (Akama), Jamie Roman (Roman), Hawai'i State Hospital (HSH), and Rupert Goetz (Goetz). The Circuit Court's Judgment was based on (1) its order granting Akama's and Roman's motion for summary judgment, (2) its order granting Dr. Trihn's and Dr. Fukino's motion for summary judgment and denying Imamoto's motion for summary judgment, and (3) the parties' stipulation to dismiss Imamoto's claims against HSH and Goetz with prejudice.

¹ The Honorable Karl S. Sakamoto presided.

On appeal, Imamoto asserts numerous points of error which stem from his basic claims that the Circuit Court erred in: (1) granting summary judgment in favor of Akama and Roman; and (2) granting summary judgment in favor of Dr. Trihn and Dr. Fukino. We affirm the Circuit Court's grant of summary judgment in favor of Akama, Roman, Dr. Trihn, and Dr. Fukino.

We conclude that the Circuit Court did not err in granting summary judgment in favor of Akama, Roman, Dr. Trihn, and Dr. Fukino because Imamoto's claims were barred by the doctrine of collateral estoppel or issue preclusion. See Dorrance v. Lee, 90 Hawai'i 143, 148-49, 976 P.2d 904, 909-10 (1999); Exotics Hawai'i-Kona, Inc. v. E.I. Dupont De Nemours & Co., 104 Hawai'i 358, 364-65, 90 P.3d 250, 256-57 (2004); Kulak v. City of New York, 88 F.3d 63, 71-73 (2d Cir. 1996). In light of this conclusion, we need not address the alternative argument raised by Akama, Roman, Dr. Trihn, and Dr. Fukino that the Circuit Court's grant of summary judgment in their favor was also warranted because Imamoto's claims were barred by the statute of limitations.

We affirm the May 22, 2009, Judgment of the Circuit Court.

DATED: Honolulu, Hawai'i, March 23, 2012.

On the briefs:

Willard M. Imamoto
Plaintiff-Appellant Pro Se

Chief Judge

April Luria
(Roeca, Louie & Hiraoka)
for Defendants-Appellees
Julie Trihn, M.D. and
Chiyomi Fukino

Associate Judge

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for Defendants-Appellees
Jamie Roman and Dudley Akama

Associate Judge