

NO. 30265

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS, Plaintiff-
Appellee, v. PAUL K.P. KAGAWA, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH HILO DIVISION
(CIVIL NO 3RC09-1-754)

SUMMARY DISPOSITION ORDER

(By: Nakamura, C.J., Foley and Fujise, JJ.)

Defendant-Appellant Paul K.P. Kagawa (Kagawa) appeals pro se from the Judgment for Possession that was entered on December 16, 2009, in the District Court of the Third Circuit, North and South Hilo Division (District Court)¹ in favor of Plaintiff-Appellee State of Hawaii Department of Hawaiian Home Lands (DHHL) as to its complaint for ejectment against Kagawa after he allegedly wrongfully occupied real estate owned by DHHL.

Although it is difficult to discern with certainty, on appeal, Kagawa appears to argue that the District Court erred because it (1) implicitly found that DHHL demonstrated clean title to the property; (2) did not find that Kagawa was entitled to utilize the land pursuant to his traditional rights; and (3) did not find that Kagawa was entitled to utilize the land pursuant to certain provisions of the Hawaiian Homes Commission Act of 1920.

¹

The Honorable Barbara T. Takase presided.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised, as well as the relevant statutory and case law, we conclude Kagawa's appeal is without merit.

Therefore, the Judgment of Possession that was entered on December 16, 2009, in the District Court of the Third Circuit, North and South Hilo Division is affirmed.

DATED: Honolulu, Hawai'i, July 26, 2013.

On the briefs:

Paul K.P. Kagawa,
Defendant-Appellant, pro se.

Chief Judge

Diane K. Taira and
Craig Y. Iha,
Deputy Attorneys General,
for Plaintiff-Appellee.

Associate Judge

Associate Judge