

NO. CAAP-16-0000081

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
RONALD DALE CAWTHON, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
KONA DIVISION
(CASE NO. 3DTC-15-043566)

SUMMARY DISPOSITION ORDER

(By: Leonard, Presiding Judge and Ginoza, J.;
with Reifurth, J. concurring separately)

Defendant-Appellant Ronald Cawthon (Cawthon) appeals from the Judgment and Notice of Entry of Judgment, filed on January 14, 2016, in the District Court of the Third Circuit (District Court).¹

Cawthon was convicted of Driving Without Valid Driver License, in violation of Hawaii Revised Statutes (HRS) § 286-102(b) (Supp. 2015) and No Motor Vehicle Insurance, in violation of HRS § 431:10C-104(a) (2005).

On appeal, Cawthon contends the District Court lacked jurisdiction because there was no proper transfer of sovereign power from the Hawaiian Kingdom to the United States, both the

¹ The Honorable Margaret K. Masunaga presided.

Kingdom of Hawai'i and the State of Hawai'i operate in the Hawaiian Islands, and his nationality is in the Hawaiian Kingdom, therefore, he is not subject to the governance of the State of Hawai'i.

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 by the parties, we resolve Cawthon's point of error as follows and affirm.

The Hawai'i Supreme Court has held that "'whatever may be said regarding the lawfulness' of its origins, 'the State of Hawai'i is now, a lawful government.' Individuals claiming to be citizens of the Kingdom and not of the State are not exempt from application of the State's laws." State v. Kaulia, 128 Hawai'i 479, 487, 291 P.3d 377, 385 (2013) (internal citation, brackets, and ellipses omitted) (quoting State of Fergerstrom, 106 Hawai'i 43, 55, 101 P.3d 652, 664 (App. 2004), aff'd, 106 Hawai'i 41, 101 P.3d 225 (2004)).

Therefore,

IT IS HEREBY ORDERED that the Judgment and Notice of Entry of Judgment, filed on January 14, 2016 in the District Court of the Third Circuit is affirmed.

DATED: Honolulu, Hawai'i, December 13, 2016.

On the briefs:

Dean T. Kauka,
for Defendant-Appellant.

Presiding Judge

David Blancett-Maddock,
Deputy Prosecuting Attorney,
for Plaintiff-Appellee.

Associate Judge