

NOT FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

DISSENTING OPINION BY FUJISE, J.

I respectfully dissent

The arresting officer in this case described a multitude of other conduct by Defendant-Appellant Felicia M. Stellflug on the night in question that established that she was driving while impaired by the influence of alcohol. "'Where there is a wealth of overwhelming and compelling evidence tending to show the defendant guilty beyond a reasonable doubt, errors in the admission or exclusion of evidence are deemed harmless.'" State v. Mitchell, 94 Hawai'i 388, 399, 15 P.3d 314, 325 (App. 2000) (quoting State v. Toyomura, 80 Hawai'i 8, 27, 904 P.2d 893, 912 (1995)). As, in my view, there was no reasonable possibility that the improperly admitted evidence contributed to the verdict, I would affirm the conviction.


Associate Judge