

NO. CAAP-10-0000219

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

STATE OF HAWAI'I, Plaintiff-Appellee,
v.
LANCE PAUL LARSEN, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(North & South Hilo Division)
(Case No. 3DTA-08-03139)

SUMMARY DISPOSITION ORDER

(By: Nakamura, Chief Judge, Foley and Ginoza, JJ.)

Defendant-Appellant Lance Paul Larsen (Larsen) appeals from the Judgment filed on November 15, 2010, in the District Court of the Third Circuit (District Court).¹ Larsen was charged with failure to appear in answer to a citation, in violation of Hawaii Revised Statutes (HRS) § 803-6(e) (Supp. 2011). Larsen filed a motion to dismiss the charge asserting that he is "a subject of the Hawaiian Kingdom" and therefore the District Court lacked jurisdiction over his case. The District Court denied the motion to dismiss, and Larsen entered a conditional no contest plea to the charge. The District Court sentenced Larsen to two days of imprisonment, with credit for time served.

On appeal, Larsen argues that the District Court lacked jurisdiction over his case because he is a "Hawaiian national" and a subject of the Kingdom of Hawai'i. We conclude that

¹ The Honorable Harry P.N. Freitas presided.

Larsen's argument lacks merit and that the District Court properly denied his motion to dismiss. See HRS § 701-106 (1993); State v. Fergerstrom, 106 Hawai'i 43, 55, 101 P.3d 652, 664 (App. 2004), aff'd, 106 Hawai'i 41, 101 P.3d 225 (2004).

We affirm the Judgment of the District Court.

DATED: Honolulu, Hawai'i, December 26, 2012.

On the briefs:

Gary C. Zamber
for Defendant-Appellant

Chief Judge

Glenn H. Shiigi
Deputy Prosecuting Attorney
County of Hawai'i
for Plaintiff-Appellee

Associate Judge

Associate Judge