

**Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000428
29-JUN-2020
07:54 AM**

NOS. CAAP-19-0000428, CAAP-19-0000429 AND CAAP-19-0000430

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

CAAP-19-0000428

STATE OF HAWAII, Plaintiff-Appellee, v.
WILSON K. KOIKE, Defendant-Appellant
(CR. NO. 1CPC-18-0000250)

AND

CAAP-19-0000429

STATE OF HAWAII, Plaintiff-Appellee, v.
WILSON KOIKE, Defendant-Appellant
(CR. NO. 1CPC-18-0000336)

AND

CAAP-19-0000430

STATE OF HAWAII, Plaintiff-Appellee, v.
Wilson K. Koike, Defendant-Appellant
(CR. NO. 1CPC-18-0001480)

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

SUMMARY DISPOSITION ORDER

(By: Ginoza, Chief Judge, Leonard and Chan, JJ.)

In this consolidated appeal,¹ Defendant-Appellant
Wilson K. Koike (Koike) appeals from three May 23, 2019 Judgments
of Conviction and Probation Sentence in No. 1CPC-18-0000250, No.

¹ By order dated October 4, 2019, this court consolidated CAAP-19-0000428, CAAP-19-0000429, and CAAP-19-0000430.

1CPC-18-0000336, and No. 1CPC-18-0001480, respectively, entered by the Circuit Court of the First Circuit (Circuit Court).² The Circuit Court convicted Koike of two counts of driving without a license, in violation of Hawaii Revised Statutes (HRS) § 286-102 (2007 & Supp. 2017); two counts of driving without no-fault insurance, in violation of HRS § 431:10C-104(a) (2005); two counts of "Unlicensed Dog," in violation of HRS § 143-2 (2011); and one count of cruelty to animals in the second degree, in violation of HRS § 711-1109(1)(b) (2014).

In the Circuit Court, Koike moved to dismiss the charges, asserting that the Circuit Court lacked jurisdiction over his cases because the Hawaiian Kingdom continues to exist as a state, and that only a military court established by the United States would have jurisdiction over his cases. The Circuit Court denied the motions to dismiss. Koike moved for reconsideration of the Circuit Court's orders denying his motions to dismiss, and the Circuit Court denied his motions for reconsideration. Koike entered conditional guilty pleas on all of the charges, and the Circuit Court found him guilty and sentenced him to, *inter alia*, probation and community service.

On appeal, Koike argues that the Circuit Court lacked jurisdiction over his cases because the Hawaiian Kingdom continues to exist and the events leading to the establishment of the State of Hawai'i render the Judiciary "null and void." 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 Koike's points of error as follows:

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

² The Honorable Edward H. Kubo, Jr. presided.

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 v. Fergerstrom, 106 Hawai'i 43, 55, 101 P.3d 652, 664 (App. 2004)).

Therefore, IT IS HEREBY ORDERED that the Judgments of Conviction and Probation Sentence entered by the Circuit Court on May 23, 2019 in No. 1CPC-18-0000250, No. 1CPC-18-0000336, and No. 1CPC-18-0001480, are affirmed.

DATED: Honolulu, Hawai'i, June 29, 2020.

On the briefs:

Brian R. Vincent,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for Plaintiff-Appellee.

Walter J. Rodby,
for Defendant-Appellant.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Derrick H. M. Chan
Associate Judge