

NO. CAAP-19-0000426

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee,
v.
THACKERAY S. TAYLOR, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
HONOLULU DIVISION
(CASE NO. 1DTC-18-081564)

SUMMARY DISPOSITION ORDER

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

Self-represented Defendant-Appellant Thackeray Taylor (**Taylor**) appeals from the Notice of Entry of Judgment and/or Order and Plea/Judgment (**Judgment**), entered by the District Court of the First Circuit, Honolulu Division (**district court**) on May 22, 2019, as amended on July 30, 2019.¹ The district court convicted Taylor of two petty misdemeanors: driving without a licence, in violation of Hawaii Revised Statutes (**HRS**) § 286-102 (Supp. 2018), and driving without insurance, in violation of HRS § 431:10C-104 (2019).

On appeal, Taylor claims the district court erred in (1) assuming personal jurisdiction over Taylor; (2) denying Taylor's various motions without providing findings of fact and

¹ The Honorable Harlan Y. Kimura presided.

conclusions of law (**FOF & COL**); and (3) labeling Taylor as "pro se" when he averred he was proceeding "per se."²

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

(1) "The existence of jurisdiction is a question of law and is reviewed de novo under the right/wrong standard." State v. Uchima, 147 Hawai'i 64, 72, 464 P.3d 852, 860 (2020).

Taylor challenges the district court's personal jurisdiction in this case. The district court properly exercised personal jurisdiction over Taylor because the "State of Hawai'i - Citation for Traffic Crime(s) Arrest In the District Court of the First Circuit" (**First Circuit Citation**) issued to Taylor alleges the offenses occurred at Kapahulu Ave./Wai'alaie Ave. Thus, Taylor allegedly committed the offenses in Hawai'i. HRS § 701-106 (2014) ("[A] person may be convicted under the law of this State of an offense committed by the person's own conduct or the conduct of another for which the person is legally accountable if: (a) Either the conduct or the result which is an element of the offense occurs within this State[.]"). "[T]he [S]tate's criminal jurisdiction encompasses all areas within the territorial boundaries of the State of Hawai'i." State v. Kaulia, 128 Hawai'i 479, 487, 291 P.3d 377, 385 (2013).

Given the above, the district court properly exercised personal jurisdiction over Taylor.

(2) FOF & COL are not required for rulings on motions in district court criminal cases. Hawai'i Rules of Penal Procedure (**HRPP**) Rule 44A(b) (2020) (allowing the district court to issue FOF & COL at its discretion).

² Taylor's opening brief does not comply with Rule 28(b) of the Hawai'i Rules of Appellate Procedure because, among other things, appropriate citations to the record are not provided. However, given Taylor's self-represented status, we address his points of error to the extent they can be discerned.

(3) Finally, "pro se" is a legal term describing a person representing themselves. Black's Law Dictionary 1476 (11th ed. 2019) ("One who represents oneself in a court proceeding without the assistance of a lawyer[.]"). This is allowed by HRS § 605-2 (2016) ("[N]othing in this chapter shall prevent any person, plaintiff, defendant, or accused, from appearing in person before any court, and there prosecuting or defending that person's, plaintiff's, defendant's, or accused's own cause, without the aid of legal counsel[.]").

Accordingly, Taylor's points of error are without merit.

Therefore, IT IS HEREBY ORDERED that the Notice of Entry of Judgment and/or Order and Plea/Judgment, filed May 22, 2019, as amended on July 30, 2019, in the District Court of the First Circuit, Honolulu Division, is affirmed.

DATED: Honolulu, Hawai'i, March 28, 2022.

On the briefs:

Thackeray S. Taylor,
Self-Represented Defendant-
Appellant

Brian R. Vincent,
Deputy Prosecuting Attorney,
for Plaintiff-Appellee

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Clyde J. Wadsworth
Associate Judge