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NO. CAAP-23-0000107

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

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

APPEAL FROM THE DISTRICT COURT OF THE SECOND CIRCUIT
LĀHAINĀ DIVISION
(CASE NO. 2DTC-22-005318)

SUMMARY DISPOSITION ORDER

(By: Nakasone, Chief Judge, Wadsworth and Guidry, JJ.)

Defendant-Appellant Paul Keahi (**Keahi**) appeals from the "Notice of Entry of Judgment and/or Order and Plea/Judgment" (**Judgment**) entered on January 11, 2023 by the District Court of the Second Circuit for driving without a valid driver's license in violation of Hawaii Revised Statutes § 286-102 (2020).¹

Keahi raises a single argument on appeal,² contending that "the State did not meet the burden of showing that the

¹ The Honorable Douglas R. Wright presided.

² We note that the brief does not contain points of error, nor does it state "where in the record the alleged error was objected to or the manner
(continued . . .)

officer had probable cause to issue the citation to [Keahi]."
(Formatting altered.) The State responds that Keahi's argument was waived under Hawai'i Rules of Penal Procedure (**HRPP**) Rule 12(b)(1). Upon careful review of the record, briefs, and relevant legal authorities, and having given due consideration to the arguments advanced and the issues raised by the parties, we conclude that Keahi's contention is waived.

It appears that the issue of probable cause was not raised by Keahi prior to trial, and was therefore waived. See HRPP Rule 12(b)(1) ("The following [motions] must be raised prior to trial: (1) defenses and objections based on defects in the institution of the prosecution[.]"). A party's failure to raise such objections "shall constitute waiver thereof[.]" HRPP Rule 12(f).

We therefore affirm the Judgment.

DATED: Honolulu, Hawai'i, August 6, 2025.

On the briefs:	/s/ Karen T. Nakasone Chief Judge
Steven Slavitt, for Defendant-Appellant.	/s/ Clyde J. Wadsworth Associate Judge
Renee Ishikawa Delizo, Deputy Prosecuting Attorney, County of Maui, for Plaintiff-Appellee.	/s/ Kimberly T. Guidry Associate Judge

²(. . . continued)
in which the alleged error was brought to the attention of the court," as required under Hawai'i Rules of Appellate Procedure Rule 28(b)(4).