

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

State of Hawai‘i v. Marcos A. De Jesus

State v. De Jesus · No. CAAP-24-0000723 · Decided May 5, 2026

SUMMARY

The Intermediate Court of Appeals of Hawai‘i affirmed Marcos A. De Jesus's conviction for reckless driving under Hawai‘i Revised Statutes § 291-2. The court held that sufficient evidence supported the conviction and that the district court adequately found De Jesus acted recklessly.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Katherine G. Leonard, Presiding Judge; Clyde J. Wadsworth, Associate Judge; Kimberly T. Guidry, Associate Judge
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	May 5, 2026
DOCKET	CAAP-24-0000723
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his conviction for reckless driving following a jury-waived trial in the District Court of the First Circuit, Kāne‘ohe Division.
STANDARD OF REVIEW	The evidence is viewed in the strongest light for the prosecution when reviewing the legal sufficiency of evidence supporting a conviction. The appellate test is whether substantial evidence supported the trier of fact's conclusion, not whether the appellate court itself finds guilt established beyond a reasonable doubt. The same standard applies to convictions following a bench trial and jury trials.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Marcos A. De Jesus v. State of Hawai‘i

TOPICS

- appellate procedure
- standard of review
- criminal procedure
- evidence
- mens rea

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether substantial evidence supported De Jesus's conviction for reckless driving under Hawai'i Revised Statutes § 291-2.
2. Whether the district court found that De Jesus acted with the requisite reckless state of mind under Hawai'i Revised Statutes § 702-206(3).

HOLDINGS

1. The State presented sufficient evidence to support De Jesus's conviction for reckless driving because the complaining witness testified that De Jesus was speeding, passed and flew between vehicles with little space, switched lanes irresponsibly, and engaged in a sewing maneuver.
2. The district court found, based on the trial evidence, that De Jesus acted recklessly.

KEY QUOTATIONS

“[E]vidence adduced in the trial court must be considered in the strongest light for the prosecution when the appellate court passes on the legal sufficiency of such evidence to support a conviction; the same standard applies whether the case was before a judge or jury.” (at 2)

“A person acts recklessly with respect to his conduct when he consciously disregards a substantial and unjustifiable risk that the person's conduct is of the specified nature.” (at 4)

“We conclude that the district court found, based on the evidence presented at trial, that De Jesus acted recklessly.” (at 5)

FACTUAL BACKGROUND

A complaining witness testified that De Jesus drove a blue car at a high rate of speed, passed between vehicles through a small gap, repeatedly switched lanes, and engaged in a maneuver the witness described as "sewing." After De Jesus continued driving rapidly and changing lanes irresponsibly, a Honda Civic collided with the complaining witness's vehicle, causing it to spin out of control. The district court found that De Jesus's dangerous driving placed other vehicles in danger and caused the collision.

PROCEDURAL HISTORY

The State charged De Jesus by complaint with reckless driving of a vehicle and racing on highways. After a jury-waived trial, the district court found him guilty of reckless driving, granted his motion for judgment of acquittal on the racing charge, and imposed a \$1,000 fine, restitution of \$29,631, fees, and a driver's improvement course. De Jesus appealed, challenging the sufficiency of the evidence and the district court's finding that he acted recklessly.

DISPOSITION

affirmed

CASES CITED

- State v. Kalaola, 124 Hawai‘i 43, 49, 237 P.3d 1109, 1115 (2010)
- State v. Agard, 113 Hawai‘i 321, 324, 151 P.3d 802, 805 (2007)

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