

CONCURRENCE BY ACOBA, J.

I concur on the further ground that Respondent/Plaintiff-Appellee State of Hawai'i failed to "show that the instrument ha[d] been inspected and serviced as required by the manufacturer." State v. Assaye, 121 Hawai'i 204, ---, 216 P.3d 1227, 1240 (2009) (Acoba, J., concurring).