

Win rate- A win is anytime a client retained me after being arrested for DUI and ultimately was not convicted of DUI. This includes not guilty judgments/acquittal, dismissals with prejudice, dismissals without prejudice, and when there has been no prosecution after I have taken steps to stop the initiation of a prosecution or drop a prosecution. There is one case in this document where a client does not have a DUI conviction, but because the client has a different alcohol related conviction I have counted it as a loss. There is one case in this document where a client was found not guilty of the crime of Refusal to provide a breath or blood sample, but was found guilty of DUI and rather than count it as a win and a loss, I count it as a loss. There is another case where the client has a conviction for reckless driving but not DUI. The raw data is available at my law office in redacted form to protect the privacy of my former clients. This includes DUI cases in Hawaii State Courts, United States Federal District Courts and any military case heard before a military judge during a Special or General Court-Martial. The win rate below represents cases from the opening of the Law Office of Kevin O'Grady, LLC on January 1, 2009 to December 31, 2021. The data is not in any chronological order but is assembled here for simplicity. This list is specific to DUI- It does not include assault cases or other crimes.

Number of Cases

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ORIGINALLY A LOSS BUT REVERSED ON APPEAL

1	LOSS/G REVERSE ON APPEAL
2	LOSS/G REVERSE ON APPEAL
3	LOSS/G REVERSE ON APPEAL
4	LOSS/G REVERSE ON APPEAL
5	LOSS/G REVERSE ON APPEAL
6	LOSS/G REVERSED ON APPEAL
7	LOSS/G REVERSED ON APPEAL
8	LOSS/G REVERSED ON APPEAL

ON APPEAL

9 Government conceded on appeal- awaiting decision

LOSS

1		LOSS/G
2		LOSS/G
3		LOSS/G
4		LOSS/G
5		LOSS/G
6		LOSS/G
7	LOSS/G- Client was found not guilty of refusal but guilty of DUI- chose not to appeal	
8		LOSS/G- client chose to not appeal
9		DUI LOSS/GUILTY
10		GUILTY
11		LOSS/G (No DUI, but open container conviction)
12	LOSS/ G to RECKLESS NOT DUI	

OTHER

1		DEATH
2		DEATH
3		WITHDRAW
4		DEATH
5		WITHDRAW
6		WITHDRAW
7		WITHDRAW
8		WITHDRAW
9		WITHDRAW
10		WITHDRAW
11		WITHDREW
12		WITHDREW
13		WITHDREW
14		WITHDREW
15		DEATH
16		WITHDREW
17		DEATH
18		WITHDREW
19		DEATH
20		WITHDREW
21		WITHDREW
22		WITHDREW

APPEALS-

1	WIN
2	LOSS
3	WIN
4	WIN
5	WIN
6	WIN
7	LOSS
8	WIN
9	WIN
10	WIN
11	WIN- HI SC
12	WIN
13	WIN
14	WIN- HI SC
15	WIN- HI SC

SUBMITTED AMICUS

1	State v Won-
2	State v Alkire-
3	Teter v Connors-

STRAIGHT LOSS- NO APPEAL

12

CONVERSION- WAS LOSS became WIN

8

DUI

514 straight wins + 8 loss converted to win after appeal +12 loss = 534 total cases

514/534 = 96.254% straight win (was 95% in 2019)

514+8= 522= 97.75% Win including reversals. (was 97.52% in 2019)

Appeals

12 win + 3 loss = 15 cases

12/15 = 80% win rate

Hawaii Supreme Court Case wins

State v Scott

State v Pitts

State v Amiral

534 DUI cases from 2009-2021. Approximately 44.5 cases per year. Approximately 3.7 cases per month.