

**Electronically Filed
Intermediate Court of Appeals
CAAP-10-000072
12-JUL-2011
08:02 AM**

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

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STATE OF HAWAII, Plaintiff-Appellee,
vs.
KEVIN K. NESMITH, Defendant-Appellant

NO. CAAP-10-000072

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1DTA-10-01055)

ORDER OF CORRECTION

(By: Nakamura, Chief Judge, for the court^{1/})

The Opinion of the Court, filed on June 22, 2011, is hereby corrected as follows:

1. On page 3, in the twentieth line, the citation reference to "HRS § 294E-61 (Supp. 2009)" should be corrected to read "HRS § 291E-61 (Supp. 2009)".

2. On page 4, in the twelfth line of the indented, block-quoted text, a set of parenthesis should be inserted around the year "2002" and within the brackets so that as corrected, the text reads: "[(2002)] (quoting"

^{1/} Nakamura, Chief Judge, and Reifurth, J.; with Foley, J., concurring separately.

3. On page 9, in the twenty-third line, an ending quotation mark is missing and should be inserted at the end of the sentence that ends with the word "offense."

4. On page 11, in the sixth line of the indented, block-quoted text, a set of parenthesis should be inserted around the year "1947" and within the brackets so that as corrected, the text reads: "[(1947)].) The inferential"

The clerk of the court is directed to take all necessary steps to notify the publishing agencies of these changes.

DATED: Honolulu, Hawai'i, July 12, 2011.

FOR THE COURT:

Craig H. Nakamura

Chief Judge