**Electronically Filed Intermediate Court of Appeals** 30283 12-SEP-2012 10:19 AM

IN THE INTERMEDIATE COURT OF APPEALS

NO. 30283

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v. DESTIN GALLARDE, Defendant-Appellant.

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CR. 08-1-1834)

ORDER OF CORRECTION (By: Nakamura, Chief Judge, for the court<sup>1/</sup>)

The Memorandum Opinion, filed on July 31, 2012, is hereby corrected as follows:

1. On page 4, in the tenth line from the bottom of the page, the comma after the word "brother" should be deleted so that as corrected, the text reads: "Destin, Chastity, and Tiffany's younger brother "raced" to Jeremy's house . . . . "

2. On page 12, in the twenty-first line, the words "the" and "that" are transposed and should be corrected so that the text reads: ". . . instruction failed to require that the threat communicate . . . ."

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

DATED: Honolulu, Hawai'i, September 12, 2012.

FOR THE COURT: Chais H. Nukamura Chief Judge

 $\frac{1}{N}$  Nakamura, Chief Judge, and Foley and Reifurth, JJ.