NO. CAAP-12-0001011

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v. GREGORY A. KAZANAS, Defendant-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CR. NO. 11-1-1592)

ORDER OF CORRECTION (By: Nakamura, Chief Judge, for the court¹)

The Opinion, filed on August 29, 2014, is hereby corrected as follows:

On page 2, at the end of the second paragraph, a close parenthesis is missing at the end of the citation. As corrected the citation should read: " . . . (quoting <u>State v.</u> <u>Ikaika</u>, 67 Haw. 563, 567, 698 P.2d 281, 284 (1985))."

2. On page 15, in the third line, the word "Court" should be inserted between "Circuit" and "found" so that as corrected, the text reads: "The Circuit Court found"

3. On page 15, in the twelfth line from the bottom of the page, "OEMV" should be corrected to read "UEMV".

¹Nakamura, Chief Judge, and Fujise, J., with Foley, J., dissenting

FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

4. On page 17, in the seventh line from the bottom of the page, the word "the" that appears between "under" and "Article I" should be deleted so that as corrected, the text reads: ". . . under Article I, Section 10."

5. On page 20, in the sixth line, "Avilla's" should be changed to "Avilla" so that as corrected, the text reads: ". . . Office Avilla engaged in"

6. On page 22, in the eighth line of the first paragraph under Section "B.", the word "act" should be changed to "acts" so that as corrected, the text reads: ". . . committing the acts alleged"

7. On page 23, in the second line from the bottom of the page, the word "instruction" should be changed to "instructions" so that as corrected the text reads: "... limiting instructions served"

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

DATED: Honolulu, Hawaiʻi, November 19, 2014.

FOR THE COURT:

Chief Judge