

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

NO. 28492

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I,
Plaintiff-Appellee/Cross-Appellant,
v.
MICHAEL TOLENTINO,
Defendant-Appellant/Cross-Appellee
(CR. NO 02-1-2816)

and

STATE OF HAWAI'I, Plaintiff,
v.
FLORDELINO DELOS SANTOS, Defendant
(CR. NO. 02-1-2817)

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT

SECOND ORDER OF CORRECTION(By: Nakamura, J., for the court^{1/})

The Memorandum Opinion, filed on September 22, 2009, is hereby corrected as follows:

On page 9, in the sixth line from the bottom of the page, the word "not" should be inserted between the words "did" and "know" to correct an inadvertent typographical error regarding the omission of the word "not." As corrected, the text reads as follows: "Tolentino did not know what Delos Santos was going to do."

The clerk of the court is directed to incorporate the foregoing change in the original opinion and take all necessary steps to notify the publishing agencies of this change.

^{1/} Nakamura, Chief Judge, and Leonard, J. Former Associate Judge Corinne K.A. Watanabe, who was a member of the panel on this appeal, retired effective December 31, 2009.

K. HAMAOKA
CLERK OF THE COURT
STATE OF HAWAII

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This Second Order of Correction shall be entered nunc pro tunc to the date and time of the filing of the previous Order of Correction on October 5, 2009, by this court in this appeal.

DATED: Honolulu, Hawai'i, February 1, 2010.

FOR THE COURT:

Craig H. Nakamura

Chief Judge

