NO. CAAP-12-0000196

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, vs. MICKENSIE P. SOULENG, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT HONOLULU DIVISION (CASE NO. 1DTC-11-002605)

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

The Opinion of the court, filed on January 22, 2015, is hereby corrected as follows:

1. On page 4, in the twelfth line of the second full paragraph, the word "violated" should be replaced with "violate" so that as corrected, the text reads: ". . . its admission would violate his . . . ."

2. On page 5, in the ninth line of the first paragraph, the word "on" should be replaced with "upon" so that as corrected, the text reads: ". . . conviction based upon a defective . . . ."

<sup>1</sup>Nakamura, Chief Judge, and Reifurth and Ginoza, JJ.

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

3. On page 5, in the twelfth line of the first paragraph, a close internal quotation mark should be inserted at the end of the sentence ending with the word "crime" so that as corrected, the text reads: ". . . charge a crime.'" <u>Id.</u> (quoting . . . . "

4. On page 12, in the twelfth line of footnote 7, the case name "<u>Melendez-Dias</u>" should be corrected to read "<u>Melendez-Diaz</u>".

5. On page 13, in the second line of the third paragraph, the word "was" should be inserted before "created" so that as corrected the text reads: ". . . use at trial; was created . . . ."

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

DATED: Honolulu, Hawaiʻi, February 18, 2015.

FOR THE COURT:

Chief Judge