

NO. CAAP-14-0000987

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

STATE OF HAWAI'I, Plaintiff-Appellee, v.
DAVID T. FLEMING, Defendant-Appellant.

APPEAL FROM THE CIRCUIT COURT OF THE SECOND CIRCUIT
(CRIMINAL NO. 06-1-0570(1))

ORDER OF CORRECTION

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

The Memorandum Opinion, filed on August 23, 2017, is hereby corrected as follows:

1. On page 23, in the seventh line from the bottom of the page, the word "includes" should be replaced with "include" so that as corrected, the text reads: ". . . which include Fleming's"

2. On page 25, in the ninth line, the word "a" should be inserted between "as" and "victim" so that as corrected, the text reads: ". . . as a victim of sexual assault,"

3. On page 25, in the second line from the bottom of the page, the word "petite" should be replaced with "petit" so that as corrected, the text reads: ". . . instructing the petit jury that"

^{1/}Nakamura, Chief Judge, and Fujise and Ginoza, JJ.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

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 6, 2017.

FOR THE COURT:

Chief Judge