NO. 23243

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee, v. ABRAHAM SPENCER, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT (CR. NO. 97-2893)

ORDER OF AMENDMENT

(By: Burns, C.J., Foley, J. and Circuit Judge Sakamoto in place of Watanabe, J., recused, and Lim, J., disqualified)

IT IS HEREBY ORDERED that the Memorandum Opinion of the court filed on October 15, 2001, is amended as follows:

On page 20, first line, the date "September 23, 1999" shall be deleted and replaced with "January 7, 2000."

The Clerk of the Court is directed to incorporate the foregoing changes in the original opinion.

DATED: Honolulu, Hawaii, October 22, 2001.

Chief Judge

Associate Judge

Acting Associate Judge