

FOR PUBLICATION IN WEST'S HAWAII REPORTS AND PACIFIC REPORTER

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

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STATE OF HAWAII, Plaintiff-Appellee, v.
ROBERT ANTHONY PADILLA, Defendant-Appellant

KHAMAKADO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2007 AUG 16 PM 3:25

FILED

NO. 27300

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CR. NO. 03-1-2375)

ORDER OF CORRECTION

(By: Nakamura, J., for the court¹)

The Opinion of the court, filed on July 6, 2007, is hereby corrected as follows:

1. At page 2, 7th line of text, the word "to" should be inserted between the words "were" and "run" so that the phrase is corrected to read as follows: ". . . Counts 3 and 4 were to run concurrently . . ."

2. At page 5, 12th line of text, the word "the" should be inserted between the words "to" and "driver's-side" so that the phrase is corrected to read as follows: ". . . Mahelona came to the driver's-side door . . ."

3. At page 20, 14th line of text, the word "offense" should be plural and corrected to read "offenses" so that the text is corrected to read as follows: ". . . if the offenses merge . . ."

4. At page 20, 23rd line of text, the word "Count" should be inserted between "or" and "4" so that the phrase is corrected to read as follows: ". . . either Count 3 or Count 4 . . ."

5. At page 22, 6th and 7th lines of text, there are erroneous references to "Court 3" and "Court 4." The word

¹ Recktenwald, Chief Judge, Watanabe, and Nakamura, JJ.

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"Court" in those references should be corrected to read "Count" so that the text is corrected to read as follows: ". . . dismiss Count 3 or Count 4 . . ."

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

DATED: Honolulu, Hawai'i, August 16, 2007.

FOR THE COURT:

Craig H. Nakamura

Associate Judge

