

NO. 26110

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

PAME ANN MARY LEILANI ROMANO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1P103-00755 OF 8/26/03; HPD CR. NO 03024777)

ORDER OF AMENDMENT

(By: Acoba, J., for the court¹)

The majority opinion of the court, filed on February 27, 2007, is amended as follows (deletions are bracketed and additions are double underscored):

Lines 3-4 from the top of page 9: for keeping numerous roosters at his home[, resulting in complaints from neighbors]. Id. at 355, 873 P.2d at 112. At

Line 5 from the top of page 16: made. See id. [at 46, 137 P.3d at 360.]

Line 5 from the bottom of page 16: testify to any "use of, or a threat of use, [with] unlawful force

Lines 2-3 from the top of page 17: preponderance of the evidence was clearly erroneous. See [Fisher, 111 Hawai'i at 46, 137 P.3d at 360] Foo, 106 Hawai'i at 112, 102 P.3d at 356.

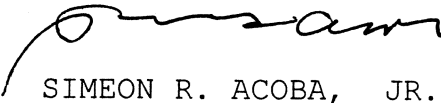
¹/ Considered by Moon, C.J., Nakayama, Acoba, and Duffy, JJ. Levinson, J., having dissented, takes no position on this amendment.

FILED
2007 MAR 30 PM 1:07
HONOLULU
STATE OF HAWAII

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, March 30, 2007.

FOR THE COURT:


SIMEON R. ACOBA, JR.
Associate Justice

