

NO. 26359

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent-Appellee,
 vs.
 ALFRED J. ROMAN, Petitioner-Appellant.

K. HAMAKAHO
 CLERK OF THE COURT
 STATE OF HAWAII

2008 SEP 17 PM 2:15

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
 (FC-CR NO. 02-1-0350)

ORDER OF AMENDMENT
 (By Moon, C.J., for the court¹)

IT IS HEREBY ORDERED that the opinion of the court, filed on September 11, 2008, is amended as follows:

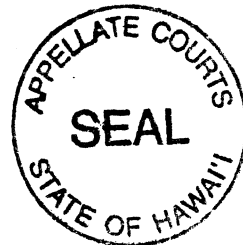
Page 1, second line from the bottom: The reference to "(Dissent by Foley, J.)" is deleted and replaced with "(Nakamura, J., dissenting)."

The Clerk of the Court is directed to incorporate the foregoing change in the original opinion and take all necessary steps to notify the publishing agencies of the aforementioned change.

DATED: Honolulu, Hawai'i, September 17, 2008.

FOR THE COURT:

J. Moon
 Chief Justice



¹ Court: Moon, C.J., Levinson, and Duffy, JJ.; Nakayama and Acoba, JJ., concurred separately in the opinion of the court.