

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I, Plaintiff-Appellee-Respondent

vs.

MARK ALAN MARTINS, Defendant-Appellant-Petitioner.

NO. 25021

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 00-1-0234(1))

January 3, 2005

MOON, C.J., LEVINSON, NAKAYAMA, ACOBA, AND DUFFY, JJ.

ORDER OF AMENDMENT

The opinion of the court, filed on December 20, 2004, is hereby amended as follows:

Page 5, line 6: the phrase "as to section III.B" is to be included after the word "opinion" and line 6 shall read as follows: "the ICA's opinion as to section III.B, (2) vacate the circuit";

Page 12, lines 8 through 9: the phrase "of conviction as to the offense of terroristic threatening in the second degree" is to be included after the word "judgment." Lines 8-9 shall read as follows: "affirming the circuit court's judgment of conviction as to the offense of terroristic threatening in the second degree, but for"; and

Page 17, IV. Conclusion, Line 4: the phrase "as to section III.B" is to be included after the word "opinion" and line 4 shall read as follows: "opinion as to section III.B, (2)

vacate the circuit court's March."

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