

NO. 23572

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

GERRY NACINO, Appellant-Appellee, v. SUSAN M. CHANDLER,
Director, Department of Human Services, State of
Hawai'i, Appellee-Appellant

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(Civ. No. 99-3297)

ORDER GRANTING APPELLEE-APPELLANT'S
MOTION TO CHANGE THE CLASS OF DISPOSITION
FROM MEMORANDUM OPINION TO PUBLISHED OPINION
(By: Burns, C.J., Watanabe, and Foley, JJ.)

Upon consideration of Appellee-Appellant's September 5,
2002 motion to change the class of disposition of the Memorandum
Opinion, which was filed on August 30, 2002 by the Intermediate
Court of Appeals of the State of Hawai'i, to a published
decision,

IT IS HEREBY ORDERED that the motion is granted.

IT IS FURTHER ORDERED that the August 30, 2002
Memorandum Opinion of the Intermediate Court of Appeals is
vacated and a new opinion will be issued.

DATED: Honolulu, Hawai'i, September 11, 2002.

Michael S. Vincent, Deputy
Attorney General, State of
Hawai'i, on the motion for
appellee-appellant.

Chief Judge

Associate Judge

Associate Judge