

NO. 23811

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

GREGORY BARNETT, Plaintiff-Appellant, v. ERIC PENAROSA, in
his official capacity as Warden, Halawa Correctional
Facility; DEPARTMENT OF PUBLIC SAFETY, STATE OF
HAWAI'I, Defendants-Appellees

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(Civ. No. 97-1548)

ORDER AMENDING MEMORANDUM OPINION

(By: Burns, C.J., Watanabe, and Foley, JJ.)

The Memorandum Opinion, entered on September 20, 2002,
is hereby amended as follows:

On page 2, in the first line of the second full
paragraph, the phrase ", Judge Kevin S. C. Chang (Judge Chang)
presiding," is added so that the line reads:

On remand, the circuit court, Judge Kevin S. C. Chang
(Judge Chang) presiding, resolved Barnett's state

On page 3, in the fourth double-spaced line of text,
the phrase ", Judge Chang presiding," is added so that the line
reads:

September 28, 2000, the circuit court, Judge Chang
presiding, entered a Judgment in a

DATED: Honolulu, Hawai'i, November 19, 2002.

Chief Judge

Associate Judge

Associate Judge