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

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STATE OF HAWAI'I, Plaintiff-Appellee, v. AARON C. ESCOBIDO-ORTIZ, also known as Aaron C. Escobido-Ortiz, Jr., Defendant-Appellant

and

ERNEST DAVID CHAVEZ, JR., Defendant

NO. 25901

2005 DEC 30 PM 12: 33

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT (CR. NO. 00-1-2176)

ORDER OF CORRECTION (By: Nakamura, J.)

The opinion of the court, filed on December 6, 2005, is hereby corrected as follows:

1. At page 10, line 16, the closing quotation mark after the word "control" should be placed before, instead of after, the semicolon so that the line reads as follows:

information within the prosecutor's possession or control"; it

2. At page 23, footnote 13, the ending punctuation of the footnote should be a period rather than a semicolon.

At page 27, heading IV., the word "Circiut" is 3. misspelled and should be corrected to read "Circuit."

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, December 30, 2005.

Associate Judge