FOR PUBLICATION

IN THE INTERMEDIATE COURT OF APPEALS

OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I, Plaintiff-Appellee, ERIC EMERSON, Defendant-Appellant

NO. 26097

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT (HPD Criminal No. 02274918)

> ORDER OF CORRECTION Lim, Acting C.J.)

IT IS HEREBY ORDERED that the Opinion of the Court filed on February 6, 2006, is corrected as follows:

On page 9, footnote 9, in the last sentence of the third paragraph from the bottom, the word "fo" is misspelled and should read "for".

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 this change.

DATED: Honolulu, Hawai'i, February 10, 2006.

Acting Chief Judg