

NO. 26110

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

PAME ANN MARY LEILANI ROMANO, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 1P103-00755 OF 8/26/03; HPD CR. NO 03024777)

ORDER OF AMENDMENT

(By: Acoba, J., for the court¹)

The majority opinion of the court, filed on February 27, 2007, is amended as follows (deletions are bracketed and additions are double underscored):

Lines 3-4 from the top of page 9: for keeping numerous roosters at his home[, resulting in complaints from neighbors]. Id. at 355, 873 P.2d at 112. At

Line 5 from the top of page 16: made. See id. [at 46, 137 P.3d at 360.]

Line 5 from the bottom of page 16: testify to any "use of, or a threat of use, [with] unlawful force

Lines 2-3 from the top of page 17: preponderance of the evidence was clearly erroneous. See [Fisher, 111 Hawai'i at 46, 137 P.3d at 360] Foo, 106 Hawai'i at 112, 102 P.3d at 356.

¹/ Considered by Moon, C.J., Nakayama, Acoba, and Duffy, JJ. Levinson, J., having dissented, takes no position on this amendment.

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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, March 30, 2007.

FOR THE COURT:


SIMEON R. ACOBA, JR.
Associate Justice

