

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

vs.

ERIC ANTHONY WILSON, Petitioner/Defendant-Appellant.

ERIC ANTHONY WILSON
PETITIONER/DEFENDANT-APPELLANT
STATE OF HAWAII

2009 MAY 18 PM 2:34

FILED

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 05-1-2201)

ORDER AFFIRMING AMENDED JUDGMENT ON APPEAL

(By: Moon, C.J., Nakayama, Acoba, and Duffy, JJ.,
and Circuit Judge Ahn, assigned by reason of vacancy)

On March 20, 2009, petitioner/defendant-appellant Eric Anthony Wilson timely filed an application for a writ of certiorari from the judgment of the Intermediate Court of Appeals (ICA), dated January 29, 2009, entered pursuant to its January 7, 2009 memorandum opinion, vacating the March 14, 2007 judgment of the Circuit Court of the First Circuit. This court accepted the application on April 7, 2009 and temporarily remanded the case to the ICA with instructions to correct an internal inconsistency within its memorandum opinion with respect to the disposition of the case, as well as to issue an amended judgment consistent with its amended opinion. On April 14, 2009, the ICA issued an order amending its opinion and, concurrently, entered its amended judgment on appeal.

Upon careful review of the record and the briefs submitted by the parties, and having given due consideration to the arguments advanced and the issues raised,

IT IS HEREBY ORDERED that the ICA's April 14, 2009 amended judgment on appeal is affirmed.

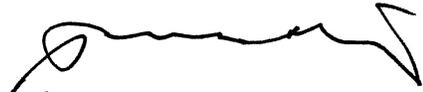
DATED: Honolulu, Hawai'i, May 18, 2009.

Daphne E. Barbee, for
petitioner/defendant-appellant

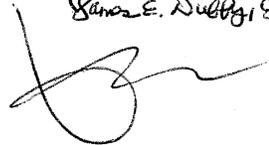
Brian R. Vincent,
Deputy Prosecuting Attorney,
for respondent/plaintiff-
appellee



Fumia A. Nakayama



Brian R. Vincent



No. 28478 State v. Wilson -- Order Affirming Amended Judgment
on Appeal