

JUN 28 2011

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LOTHAR KUSTER,

Plaintiff - Appellant,

v.

MICHAEL W. FOLEY, Director of Planning for the County of Maui (as an individual); CHARLES VILLALON, Building Inspector for the County of Maui (as an individual); TY FUKUROKU, Engineer for the County of Maui (as an individual); JAY ARAKAWA, Zoning Inspector for the County of Maui (as an individual); COUNTY OF MAUI, a governmental entity,

Defendants - Appellees.

No. 08-16552

D.C. Nos. 1:07-CV-00264-SOM-BMK  
1:07-CV-00265-SOM-BMK

District of Hawaii,  
Honolulu

ORDER

Before: HAWKINS, McKEOWN and RAWLINSON, Circuit Judges.

The Memorandum Disposition filed on June 10, 2011, is amended as follows:

On page 6, line 4, insert "violation" between "constitutional" and "Kuster."