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| STATE OF HAWAII<br>CIRCUIT COURT OF THE<br>FIRST CIRCUIT | <u>AMENDED</u><br>JUDGMENT<br>GUILTY CONVICTION AND PROBATION<br>SENTENCE<br>NOTICE OF ENTRY | CASE NUMBER<br>CR. 87-0475 |
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| STATE OF HAWAII VS (DEFENDANT)<br>MELVIN Y. KIBOTA | POLICE REPORT NUMBER<br>I: T-36663<br>II: T-36663-1<br>III: T-36663-2 |
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| DEFENDANT'S PLEA<br><input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY <input checked="" type="checkbox"/> NO CONTEST | <input type="checkbox"/> JURY VERDICT <input checked="" type="checkbox"/> JUDGE FINDINGS |
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| ORIGINAL CHARGE<br>I: Sexual Abuse in the First Degree<br>II & III: Sodomy in the Second Degree | CHARGE TO WHICH DEFENDANT PLEAD<br>Same as original charge |
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DEFENDANT IS CONVICTED AND FOUND GUILTY OF  
Counts I, II, and III

**JUDGMENT AND SENTENCE OF THE COURT: PROBATION**

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| TERM<br>FIVE YEARS AS TO EACH COUNT<br>(concurrent) | FINE<br>- |
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SPECIAL CONDITIONS:

RESTITUTION    See special conditions on Terms and Conditions     OTHER    See attached Terms and Conditions of Probation

JAIL    Four consecutive weekends

COMMUNITY SERVICE    100 hours as to each count to run concurrent (total to perform 100 hours)

It is adjudged that the Defendant has been convicted and is guilty as stated above.

IT IS THE JUDGMENT AND SENTENCE of the court that the Defendant pay the fine, restitution indicated and is hereby placed on probation for the period stated above, commencing as of the date of this judgment, unless sooner discharged by order of the court, upon condition that the Defendant comply with all of terms and conditions of probation set forth in the attached document.

IT IS ORDERED that copies of this Judgment be delivered to the Adult Probation Division of this court, that a probation officer of this court take charge of and have supervision of the Defendant and instruct the Defendant regarding the terms and conditions of probation, and that the probation officer furnish the Defendant a copy of this Judgment.

|                        |                         |                                    |
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| DATE SIGNED<br>7/22/87 | JUDGE<br>MARILYN P. LEE | SIGNATURE<br><i>Marilyn P. Lee</i> |
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**NOTICE OF ENTRY**

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES

I do hereby certify that this is a full, true, and correct copy of the original on file in this office pursuant to Section 92-30, Hawaii Revised Statutes.

DATE: 7/22/87    CLERK: D. vonOelhoffen

*D. vonOelhoffen*  
Clerk, Circuit Court, First Circuit, State of Hawaii

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July 22  
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STATE OF HAWAII  
CIRCUIT COURT OF THE  
FIRST CIRCUIT

AMENDED  
TERMS AND CONDITIONS  
OF PROBATION

CASE NUMBER  
CR. 87-0475

TO: DEFENDANT MELVIN Y. KIBOTA

It is the ORDER OF THE COURT that during your term of probation, you shall comply in all respects with the following terms and conditions:

1. You must obey all law and follow all lawful and reasonable instructions which are given to you by your probation officer.
2. You must report as directed by your probation officer.
3. You must report any change of address or change of employment within 48 hours.
4. You must not leave the island of Oahu at any time without first obtaining permission from your probation officer.
5. You must permit your probation officer to visit your home and place of employment at all reasonable times.
6. Your further SPECIAL conditions of probation are as follows:

a. Defendant is committed to the custody of the Director of the Department of Corrections for incarceration for a period of FOUR CONSECUTIVE WEEKENDS to commence Friday, July 24, 1987, 6:00 p.m. to Sunday, July 26, 1987, 6:00 p.m. and thereafter until period of incarceration ordered has been completed. Mitimus to issue Friday, July 17, 1987, 6:00 p.m.

b. Defendant shall follow all reasonable instructions given to him by the probation officer.

c. Defendant to perform 100 hours of community service on Counts I, II and III to run concurrent to commence 10/1/87 and be completed by 10/1/88.

d. Defendant shall maintain treatment/services to deal with his sexual problems including medication and/or tests if ordered, until clinically discharged with the concurrence of the Adult Probation Division. Monthly reports will be submitted regarding the progress of the defendant to the Adult Probation Division by psychotherapist.

e. Defendant shall obtain and maintain gainful, full-time employment and/or educational or vocational training throughout the period of probation.

f. Defendant shall make restitution in the form of paying the psychotherapist for victim's treatment throughout period of probation. To the extent that defendant is unable to pay restitution, defense attorney can petition the Court for modification of this condition.

NOTE: If your whereabouts become unknown to your probation officer because of your failure to keep him informed, the court may order your arrest. Any failure by you to comply with all of the terms and conditions of probation will mean that the court can revoke your probation and sentence you to prison, or change or add to the terms of probation.

The foregoing terms and conditions of probation have been explained to me and I fully understand them and agree to abide by them in every way, and understand the consequences. I have received a copy of these terms and conditions of probation

DATE

DEFENDANT'S SIGNATURE

WITNESSED BY

INTERPRETED BY (PROBATION OFFICER)

DISTRIBUTION  ORIG FILE  PROS.  DEF.  APD (3CY)  POLICE  DIVISION  JAIL (IF NEC)