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DEPARTMENT OF THE PROSECUTING ATTORNEY 207

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Attorney for the State of Hawaii

2ND CIRCUIT COURT
STATE OF HAWAII
WAILUKU, HAWAII
FILED

'93 DEC 22 P1:32
[Signature]
CLERK I. ARAKAKI

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

STATE OF HAWAII)	CR. NO. 92-0448(3)
)	<u>COUNT ONE</u> : SEXUAL ASSAULT
v.)	IN THE THIRD DEGREE
)	<u>COUNT TWO</u> : SEXUAL ASSAULT
MANDY PONCE,)	IN THE THIRD DEGREE
)	
Defendant.)	FINDING OF UNFITNESS TO
)	PROCEED AND ORDER FOR
)	RELEASE
)	

FINDING OF UNFITNESS TO
PROCEED AND ORDER FOR CONDITIONAL RELEASE

A Finding of Unfitness to Proceed having been filed on July 26, 1993, and the issue of the risk of danger which the Defendant presents to himself or others having come on for hearing on December 9, 1993, before the Honorable Boyd P. Mossman, and the State of Hawaii being represented by SIMONE C. POLAK, Deputy Prosecuting Attorney for the County of Maui, and the Defendant, MANDY PONCE, having been represented by HERMAN H. M. LING, and the Court having received evidence, heard arguments of counsel, and considered the files and records of this case;

I hereby certify that this is a full, true and correct copy of the Original.

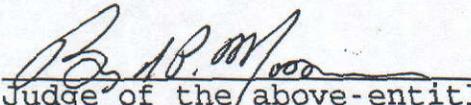
[Signature]
Clerk, Second Judicial Circuit

NOW, THEREFORE, the Court finds that the Defendant still lacks fitness to proceed pursuant to Section 704-405 of the Hawaii Revised Statutes, but that the Defendant may be released on conditions herein stated without danger to the Defendant or to the person or property of others, therefore;

IT IS HEREBY ORDERED that pursuant to Sections 704-405 and 704-406(1) of the Hawaii Revised Statutes, the Defendant is hereby released on the terms and conditions contained below:

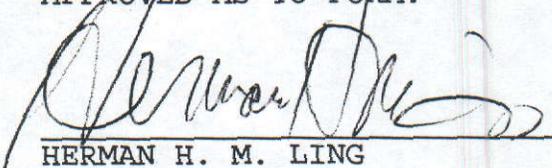
1. You shall be placed under the supervision of the Adult Probation Division of this Court and be appointed a Probation Officer;
2. You shall refrain from the use of alcohol and/or illicit/unprescribed drugs/substances;
3. You shall submit to alcohol and/or drug testing at your own expense;
4. You shall report to the Maui Placement and Continuing Services Section unit of the Department of Health, Developmental Disabilities Division, 54 High Street, Wailuku, Hawaii, telephone number 243-5342, and comply with treatment recommended by said unit; and
5. You shall have no unsupervised contact with children under fourteen (14) years of age.

DATED: Wailuku, Hawaii, DEC 22 1993.



Judge of the above-entitled Court

APPROVED AS TO FORM:



HERMAN H. M. LING
Attorney for Defendant