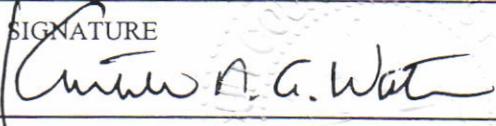
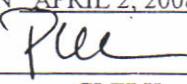
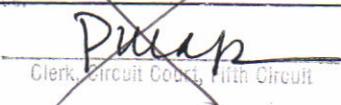


STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	JUDGMENT GUILTY CONVICTION AND PROBATION SENTENCE NOTICE OF ENTRY	CASE NUMBER CR. NO. 07-1-0232
STATE OF HAWAII VS (DEFENDANT) CLIFTON LEON CABINATAN		POLICE REPORT NUMBER
DEFENDANT'S PLEA (1/22/08) <input checked="" type="checkbox"/> GUILTY <input type="checkbox"/> NO CONTEST	<input type="checkbox"/> JURY VERDICT <input checked="" type="checkbox"/> JUDGE FINDINGS	
ORIGINAL CHARGE(S) COUNTS 1 & 2: SEXUAL ASSAULT IN THE FIRST DEGREE		
CHARGE(S) TO WHICH DEFENDANT PLEAD COUNT 1: SEXUAL ASSAULT IN THE THIRD DEGREE - HRS 707-732(1)(b)		
DEFENDANT IS CONVICTED AND FOUND GUILTY OF COUNT 1: SEXUAL ASSAULT IN THE THIRD DEGREE - HRS 707-732(1)(b)		
JUDGMENT AND SENTENCE OF THE COURT: PROBATION		TERM FIVE (5) YEARS
SPECIAL CONDITIONS: (SEE ATTACHED TERMS AND CONDITIONS OF PROBATION) <input type="checkbox"/> RESTITUTION <input type="checkbox"/> FINE <input type="checkbox"/> COMMUNITY SERVICE <input type="checkbox"/> JAIL <input type="checkbox"/> OTHER		
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 the 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.		
DATE SIGNED APRIL 2, 2008	JUDGE KATHLEEN N. A. WATANABE	SIGNATURE 
NOTICE OF ENTRY		FILED IN OPEN COURT AT 9:05 AM ON APRIL 2, 2008 
THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES		
DATE APRIL 2, 2008	CLERK 	CLERK I do hereby certify that this is a full, true and correct copy of the original on file in this office.  Clerk, Circuit Court, Fifth Circuit

STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER CR NO. 07-1-0232
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TO: CLIFTON LEON CABINATAN:

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 not commit another federal or state crime during the term of probation;
2. You must report to your probation officer as ordered by the Court or by your probation officer. Within one (1) business day of your release from confinement, you are to report immediately to:

FIFTH CIRCUIT ADULT CLIENT PROBATION SERVICES
 3970 Kaana Street, Room A-201
 Lihue, Hawaii 96766 (Telephone: (808)482-2400)

3. You must remain within the jurisdiction of the court unless granted permission to leave by the Court or a probation officer;
4. You must notify a probation officer prior to any change in address, telephone number, or employment;
5. You must notify a probation officer promptly if arrested or questioned by a law enforcement officer; and
6. You must permit your probation officer to visit you at your home or elsewhere as specified by the court.
7. Your further special conditions of probation are as follows:

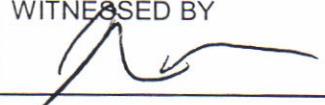
AS TO COUNT 1: SEXUAL ASSAULT IN THE THIRD DEGREE:

- A. You shall be sentenced to jail for a period of ONE (1) YEAR with credit for time served. Mittimus to issue forthwith.
- B. You shall pay a \$105.00 Crime Victim Compensation and \$150.00 Probation Services fee in said order in monthly installments of no less than \$25.00 until paid in full. Payments to commence ninety days upon your release from incarceration.
- C. You shall submit to a substance abuse evaluation and participate in treatment if deemed appropriate; and participate in any and all programs as may be recommended by the probation officer at your own expense, including but not limited to individual and/or family counseling until clinically discharged with the approval of the probation officer.
- D. You shall not possess or use unprescribed or illegal drugs and submit to drug and alcohol testing and pay for all expenses associated with said testing as may be directed. Any positive findings, tampering with the specimen sample, or failure to submit a specimen within 45 minutes of instruction shall be considered prima facie evidence of violation of the terms and conditions of your probation/deferment.

(SEE ATTACHMENT "A & B" FOR CONTINUATION OF TERMS AND CONDITIONS OF PROBATION)

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. YOU ARE FURTHER INFORMED THAT PER HRS 134-7, YOU ARE PROHIBITED FROM OWNING, OR POSSESSING ANY FIREARM OR AMMUNITION.

THE FOREGOING TERMS AND CONDITIONS OF PROBATION HAVE BEEN EXPLAINED TO ME; I FULLY UNDERSTAND THEM, 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 4/2/8	DEFENDANT'S SIGNATURE 	WITNESSED BY  <hr/> INTERPRETED BY (PROBATION OFFICER)
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CR. 07-1-0232
STATE OF HAWAII VS. CLIFTON LEON CABINATAN
ATTACHMENT A
TERMS AND CONDITIONS OF PROBATION
(CONTINUATION)

- E. You shall not have in your possession any articles or substances prohibited by law. Whenever specific and/or articulable facts exist, giving rise to a reasonable suspicion that you are concealing contraband on your person, vehicle, or on other sites or property under your control, you shall submit to a search, with or without a warrant, by your probation officer when conducted at reasonable times and in a reasonable manner.
- F. You shall not purchase, possess, or consume any alcoholic beverages nor frequent establishments or portions thereof where the primary purpose of business is the sale and consumption of alcoholic beverages unless it is for employment-related purposes but only with the approval of the probation officer.
- G. You shall not associate with known illegal users and sellers of controlled substances except during rehabilitation treatment as approved by the probation officer.
- H. You shall provide buccal swab samples and print impressions of each hand, and if required by the collecting agency's rules or internal regulations, blood specimens required for law enforcement identification analysis.
- I. You shall pay a monetary assessment of \$500.00 or the actual cost of the DNA analysis, whichever is less to the DNA registry special fund.
- J. You shall, at your own expense, submit to a psychosexual evaluation and if recommended, participate in sex offender treatment until clinically discharged with the approval of the Adult Client Probation Services. If applicable, the treatment agency/therapist shall submit monthly progress reports to the Adult Client Probation Services.
- K. You shall execute a written waiver of confidentiality for any assessment, treatment, counseling, therapy, or other programs ordered as a condition of probation.
- L. You shall not possess any pornographic, sexually oriented, or sexually stimulating visual, auditory, telephonic, electronic media and computer programs or services or any inappropriate material as clinically defined by your primary therapist; and that whenever specific and articulable facts exist giving rise to a reasonable suspicion on the part of the probation officer that you are concealing such materials on your person, at your residence, vehicle, or other sites or property under your control, you shall submit to a search, with or without a warrant, by the probation officer at reasonable times and when conducted in a reasonable manner.
- M. You shall submit to a plethysmograph and/or polygraph at your own expense when directed by your probation officer.
- N. You shall be prohibited from having any contact with the victim,
- O. You shall abide by any curfew, travel, and leisure time restrictions imposed by the probation officer.
- P. You shall participate in and complete service plans in relation to your Level of Service-Revised and other assessment results on emotional/ personal issues, attitude/orientation, low self-control, drugs and/or alcohol dependence, companions, and family/marital relationships as determined by the probation officer.
- Q. You shall abide by curfew, travel, and leisure time restrictions imposed by the probation officer.
- R. You shall refrain from purchasing or possessing or accessing via the internet or other electronic database inappropriate audio or visual materials nor shall you frequent any place where such material is available to you.
- S. You shall provide two samples of blood for DNA analysis within 30 days to be arranged by the Department of Public Safety.
- T. You shall seek/maintain full-time employment and/or educational training to be approved by the Adult Client Probation Services.
- U. You shall sign a Waiver of Extradition.

CR. 07-1-0232
STATE OF HAWAII VS. CLIFTON LEON CABINATAN
ATTACHMENT B
TERMS AND CONDITIONS OF PROBATION
(CONTINUATION)

V. You shall submit to photographing by the Adult Client Probation Services for identification purposes.

STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	JUDGMENT GUILTY CONVICTION AND SENTENCE <input type="checkbox"/> Young Adult Defendant NOTICE OF ENTRY	CASE NUMBER CR. NO. 11-1-0199
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STATE OF HAWAII VS (DEFENDANT) CLIFTON CABINATAN	POLICE REPORT NUMBER
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DEFENDANT'S PLEA (06/07/2011) <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(S) SEXUAL ASSAULT IN THE THIRD DEGREE	CHARGE TO WHICH DEFENDANT PLEAD SEXUAL ASSAULT IN THE THIRD DEGREE [HRS 707-732 (1)(C)]
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DEFENDANT IS CONVICTED AND FOUND GUILTY OF
SEXUAL ASSAULT IN THE THIRD DEGREE [HRS 707-732 (1)(C)]

FINAL JUDGMENT AND SENTENCE OF THE COURT

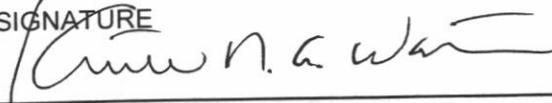
SEXUAL ASSAULT IN THE THIRD DEGREE:

- A. Defendant shall be committed to the care and custody of the director of the Department of Public Safety for imprisonment for a period of five (5) years with a mandatory minimum period of imprisonment of ONE (1) year and EIGHT(8) months without the possibility of parole, pursuant to HRS 706-606.5 with credit for time served; mittimus to issue forthwith.
 - B. Defendant shall pay a \$105.00 Crime Victim Compensation Fee.
- SENTENCE TO RUN CONCURRENT WITH CR NOS. 11-1-0200 & 10-1-0108.

The Defendant entered a plea(s) indicated. It is adjudged that the Defendant has been convicted of and is guilty of the offense stated above, committed in the manner and form set forth in the charge.

The court finds that the Defendant comes with the classification of a young adult defendant under HRS Section 667 and that in lieu of any other sentence of imprisonment authorized by law, defendant should be sentenced to a special indeterminate term of imprisonment. The court is of the opinion that such special term is adequate for defendant's correction and rehabilitation and will not jeopardize the protection of the public.

THE JUDGMENT AND SENTENCE OF THIS COURT IS AS STATED HEREIN.

DATE SIGNED August 24, 2011	JUDGE KATHLEEN N.A. WATANABE	SIGNATURE 
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NOTICE OF ENTRY

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

DATE August 24, 2011	CLERK 	<p style="text-align: right;">2011 AUG 29 AM 8:40</p> <p style="text-align: center;">DANETTE FUJII CLERK</p> <p style="text-align: right;">STATE OF HAWAII FILED</p>
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I do hereby certify that this is a full, true and correct copy of the original on file in this office.


Clerk, Circuit Court, Fifth Circuit

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STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	JUDGMENT GUILTY CONVICTION AND SENTENCE <input type="checkbox"/> Young Adult Defendant NOTICE OF ENTRY	CASE NUMBER CR. NO. 11-1-0200
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STATE OF HAWAII VS (DEFENDANT) CLIFTON CABINATAN	POLICE REPORT NUMBER
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DEFENDANT'S PLEA (06/07/2011) <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
---	--

ORIGINAL CHARGE(S) SEXUAL ASSAULT IN THE SECOND DEGREE	CHARGE TO WHICH DEFENDANT PLEAD SEXUAL ASSAULT IN THE SECOND DEGREE [HRS 707-731 (1)(A)]
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DEFENDANT IS CONVICTED AND FOUND GUILTY OF
SEXUAL ASSAULT IN THE SECOND DEGREE [HRS 707-732 (1)(A)]

FINAL JUDGMENT AND SENTENCE OF THE COURT
SEXUAL ASSAULT IN THE SECOND DEGREE:

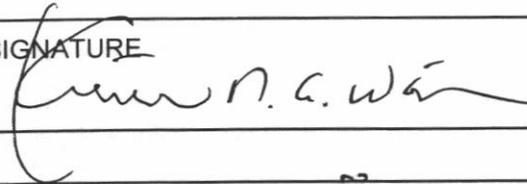
A. Defendant shall be committed to the care and custody of the director of the Department of Public Safety for imprisonment for a period of TEN (10) years with credit for time served; mittimus to issue forthwith.

B. Defendant shall pay a \$210.00 Crime Victim Compensation Fee.

The Defendant entered a plea(s) indicated. It is adjudged that the Defendant has been convicted of and is guilty of the offense stated above, committed in the manner and form set forth in the charge.

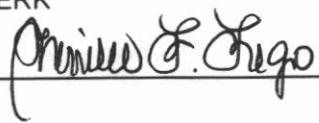
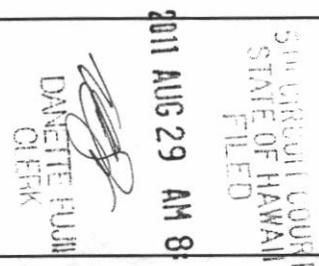
The court finds that the Defendant comes with the classification of a young adult defendant under HRS Section 667 and that in lieu of any other sentence of imprisonment authorized by law, defendant should be sentenced to a special indeterminate term of imprisonment. The court is of the opinion that such special term is adequate for defendant's correction and rehabilitation and will not jeopardize the protection of the public.

THE JUDGMENT AND SENTENCE OF THIS COURT IS AS STATED HEREIN.

DATE SIGNED August 24, 2011	JUDGE KATHLEEN N.A. WATANABE	SIGNATURE 
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NOTICE OF ENTRY

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

DATE August 24, 2011	CLERK 	
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I do hereby certify that this is a full, true and correct copy of the original on file in this office.

Clerk, Circuit Court, Fifth Circuit