STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	AMENDED JUDGMENT GUILTY CONVICTION AND SENTENCE ☐ Young Adult Defendant NOTICE OF ENTRY	CASE NUMBER FC-CR NO. 88-0059

STATE OF HAWAII VS (DEFENDANT)

JOHN HUMPHRIES CUMMINGS, JR.

POLICE REPORT NUMBER

DEFENDANT'S PLEA

☐ GUILTY ☐ NOT GUILTY ☒ NO CONTEST ☐ JURY VERDICT ☐ JUDGE FINDINGS

ORIGINAL CHARGE(S)

CT. 1 & 2: Rape in the First Degree
CT. 3: Rape in the Second Degree
CT. 4 & 5: Sexual Assault in the First Degree

CHARGE TO WHICH DEFENDANT PLEAD

CT. 1: Rape in the Second Degree
CT. 3: Rape in the Second Degree
CT. 5: Sexual Assault in the Second Degree

DEFENDANT IS CONVICTED AND FOUND GUILTY OF

CT. 1: Rape in the Second Degree
CT. 3: Rape in the Second Degree
CT. 5: Sexual Assault in the Second Degree

FINAL JUDGMENT AND SENTENCE OF THE COURT

As to Counts 1 & 3: Rape in the Second Degree and Count 5: Sexual Assault in the Second Degree:

Defendant is committed to the Director of the Department of Corrections for imprisonment for 10 years for each count, with credit for time served.

As to each count the Court granted the Prosecution's Motion for Extended Term and imposed an aditional 10 years of imprisonment pursuant to HRS 706-661(2).

The periods of imprisonment as to Counts 1, 3 & 5 are to run consecutively. The total period of consecutive imprisonment is 60 years.

Mittimus to issue forthwith.

☒ The Defendant entered the 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 within 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	JUDGE	SIGNATURE
6/25/90	GEORGE M. MASUOKA	George M. Masuoka

NOTICE OF ENTRY

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

DATE	CLERK
6/25/90	Donna C. Inouye

FIFTH CIRCUIT COURT STATE OF HAWAII FILED
JUN 25 P3:23
Donna D. L. Ching
CLERK

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JUDGMENT GUILTY CONVICTION AND SENTENCE (YOUNG ADULT DEFENDANT)

5TH CIRCUIT COURT
STATE OF HAWAII
FILED

1977 SEP 30 PM 3 50
Mildred G. Camara
MILDRED G. CAMARA
CLERK

In the Circuit Court of the Fifth Circuit

State of Hawaii

STATE OF HAWAII

vs.

JOHN HUMPHRIES CUMMINGS, JR.,

Defendant.

Cr No 1742

JUDGMENT

JUDGMENT

The above-named defendant having entered a plea of "Guilty" on July 15, 1977, to Rape in the Second Degree, Sodomy in the Second Degree and Kidnapping, a lesser included offense as to the original charge contained in the complaint; IT IS ADJUDGED that said above-named defendant has been convicted of and is guilty of the offense of RAPE IN THE SECOND DEGREE, SODOMY IN THE SECOND DEGREE and KIDNAPPING, committed in the manner and form set forth in the charge.

The Court finds that defendant comes within the classification of a young adult defendant under Sec. 667 of the Hawaii Penal Code 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 being of the opinion that such special term is adequate for his correction and rehabilitation and will not jeopardize the protection of the public.

IT IS THE JUDGMENT AND SENTENCE of this Court that defendant be committed to the Director of Social Services and Housing for imprisonment in Hawaii State Prison for a period of FOUR (4) YEARS for each count, said sentences to run concurrently with each other, until released in accordance with law. MITTIMUS TO ISSUE OCTOBER 1, 1977

Dated: Lihue, Kauai, September 30, 1977

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

Judge of the above-entitled Court