5TH CIR... COURT
STATE OF HAWAII
FILED

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MILDRED AH-HEE
CLERK

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAII

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| STATE OF HAWAII<br><br>vs.<br><br>DEAN IMUAALII OCLIT,<br><br>Defendant. | CR. NO. 95-0093<br><br>AMENDED JUDGMENT, GUILTY CONVICTION AND SENTENCE; NOTICE OF ENTRY |

## AMENDED JUDGMENT, GUILTY CONVICTION AND SENTENCE

Defendant entered a plea of Not Guilty and Jury Verdict returned on June 4, 1997, Guilty as Charged to all Counts.

ORIGINAL CHARGES:

Ct. I: Burglary in the First Degree
Ct. II: Kidnapping
Ct. III: Theft in the First Degree
Ct. IV: Prohibited Ownership or Possession of Firearm or Ammunition
Ct. V: No Permit to Carry
Ct. VI: Terroristic Threatening in the first Degree
Ct. VII: Possession or Use of a Firearm in the Commission Of a Felony
Ct. VIII and X: Sexual Assault in the Third Degree
Cts. IX, XI and XII: Sexual Assault in the First Degree

DEFENDANT IS CONVICTED AND FOUND GUILTY OF:

Ct. I: Burglary in the First Degree [HRS 708-0810]
Ct. II: Kidnapping [HRS 707-0720]
Ct. III: Theft in the First Degree [HRS 708-0830.5]
Ct. IV: Prohibited Ownership or Possession of Firearm or Ammunition
Ct. V: No Permit to Carry Firearm [134-0007]
Ct. VI: Terroristic Threatening in the First Degree [HRS 707-0716]
Cts. VIII and X: Sexual Assault in the Third Degree [HRS 707-0732]
Cts. IX, XI and XII: Sexual Assault in the First Degree [HRS 707-0730]

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

FINAL JUDGMENT AND SENTENCE OF THE COURT:

**AS TO COUNT IV: KIDNAPPING:**

Defendant is committed to the custody of the director of the Department of Public Safety for **LIFE IMPRISONMENT**, pursuant to HRS 706-662.

Defendant shall serve consecutive terms of imprisonment of **EIGHT (8) YEARS AND FOUR (4) MONTHS** pursuant to HRS 706-0660.1 and **SIX YEARS AND EIGHT (8) MONTHS** pursuant to HRS 706-606.5, a total minimum term of imprisonment of **FIFTEEN (15) YEARS**.

**AS TO COUNTS IX, XI AND XII: SEXUAL ASSAULT IN THE FIRST DEGREE:**

The Defendant's sentence for each COUNT shall be the same as for Count II.

**AS TO COUNT I: BURGLARY IN THE FIRST DEGREE:**

Defendant is committed to the custody of the Director of the Department of Public Safety for **TWENTY (20) YEARS** pursuant to HRS 706-662.

Defendant shall serve consecutive minimum terms of imprisonment of **FIVE (5) YEARS** pursuant to HRS 706-660.1 and **THREE (3) YEARS AND FOUR MONTHS** pursuant to HRS 706-606.5, a total minimum term of imprisonment of **EIGHT (8) YEARS AND FOUR (4) MONTHS**.

**AS TO CT. III: THEFT IN THE FIRST DEGREE; CT. IV: PROHIBITED OWNERSHIP OR POSSESSION OF FIREARM OR AMMUNITION; AND CT. V: NO PERMIT TO CARRY FIREARM:**

Defendant's sentence as to each COUNT shall be the same as for Court I.

**AS TO COUNT VI: TERRORISTIC THREATENING IN THE FIRST DEGREE:**

Defendant is committed to the custody of the Director of the Department of Public Safety for **TEN (10) YEARS** pursuant to HRS 706-662.

Defendant shall serve consecutive minimum terms of imprisonment of **THREE (3) YEARS** pursuant to HRS 706-660.1 and **ONE (1) YEAR AND EIGHT (8) MONTHS** pursuant to HRS 706-606.5, a total minimum term of imprisonment of **FOUR (4) YEARS AND EIGHT (8) MONTHS**.

FINAL JUDGMENT AND SENTENCE OF THE COURT (continued):

**AS TO COUNTS VIII AND X: SEXUAL ASSAULT IN THE THIRD DEGREE:**

Defendant's sentence as to each COUNT shall be the same as for COUNT VI.

**PERIODS OF CONFINEMENT AS TO COUNTS I THROUGH XII ARE TO RUN CONCURRENTLY.**

**DEFENDANT TO BE CREDITED FOR TIME SERVED -- 802 DAYS AT HALAWA PRISON AND 49 DAYS AND 9 HOURS AT THE KAUAI COMMUNITY CORRECTIONAL FACILITY.**

**MITTIMUS TO ISSUE FORTHWITH.**

DATED: Lihue, Kauai, Hawaii AUG 10 1999

Judge of the Above-Entitled Court.

NOTICE OF ENTRY

This Judgment has been entered and copies mailed or delivered to all parties.

DATED: AUG 10 1999 CLERK: