STATE OF HAWAII CIRCUIT COURT OF THE FIRST CIRCUIT	**JUDGMENT** **OF CONVICTION AND SENTENCE** NOTICE OF ENTRY	Electronically Filed FIRST CIRCUIT 1CPC-17-0001446 25-JUN-2020 09:58 AM

CASE NUMBER	REPORT NUMBER(S)
1CPC-17-0001446	COUNT 1: 17-378867-001 COUNT 3: 17-378867-004 COUNT 4: 17-378867-003
STATE OF HAWAII vs. (DEFENDANT) **JOHNNY ETIMANI**	

DEFENSE COUNSEL:	DATE OF HEARING:
WALTER RODBY (Court Appointed Attorney)	6/25/2020
DEFENDANT'S PLEA: JURY VERDICT: GUILTY	DISPOSITION: JURY TRIAL
ORIGINAL CHARGE(S): COUNTS 1-3: SEXUAL ASSAULT IN THE SECOND DEGREE (§ 707-731(1)(a), H.R.S.) COUNTS 4&5: SEXUAL ASSAULT IN THE FOURTH DEGREE (§ 707-733(1)(a), H.R.S.)	CHARGE(S) TO WHICH DEFENDANT PLED: COUNT 1: SEXUAL ASSAULT IN THE SECOND DEGREE (§ 707-731(1)(a), H.R.S.) COUNTS 3 & 4: SEXUAL ASSAULT IN THE FOURTH DEGREE (§ 707-733(1)(a), H.R.S.)

DEFENDANT IS CONVICTED AND FOUND GUILTY OF:

COUNT 1: SEXUAL ASSAULT IN THE SECOND DEGREE (§ 707-731(1)(a), H.R.S.)
COUNTS 3 & 4: SEXUAL ASSAULT IN THE FOURTH DEGREE (§ 707-733(1)(a), H.R.S.)

FINAL JUDGMENT AND SENTENCE OF THE COURT:

Defendant shall:
Serve the Indeterminate Term of Imprisonment of 10 years in Count 1 with a mandatory minimum term of incarceration of 3 years and 4 months pursuant to H.R.S. §706-606.5. Serve jail terms of 1 year in Counts 3 and 4. Defendant to receive credit for time served. All terms consecutive with each other and any other terms served by Defendant.
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, and pay monetary assessment of $500 or the actual cost of the DNA analysis, whichever is less, to the DNA registry special fund;
Pay to the crime victim compensation fund $500 in the aggregate; internet crime against children fee in the amount of $100 in each Count; All other fees and costs are waived for inability to pay.

Defendant shall provide specimen samples and print impressions as required by H.R.S. Chap. 844D

DATE	JUDGE	SIGNATURE
6/25/2020	**Paul B.K. Wong**	

NOTICE OF ENTRY

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

DATE	CLERK	SIGNATURE
6/25/2020	**T. Ahu-Fisher**	

Form CC-CR-DIV-022

I do hereby certify that the foregoing is a full, true and correct copy of the official court record of the Courts of the State of Hawai`i.
Dated at: Honolulu, Hawai`i 26-JUN-2020, /s/ Lori Ann Okita, Clerk of the First Judicial Circuit, State of Hawai`i

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

ORIGINAL

United States District Court

District of Hawaii

RECEIVED
'01 JUN 26 P3 :55
U.S. PROBATION OFFICE
HONOLULU, HAWAII

JUN 26 2001
at ___ o'clock and ___ min. P.M.
WALTER A.Y.H. CHINN, CLERK

UNITED STATES OF AMERICA

v.

JOHNNY ETIMANI

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Case Number: 1:99CR00383-001

David Klein
Defendant's Attorney

THE DEFENDANT:

[ ] pleaded guilty to count(s): ___.
[ ] pleaded nolo contendere to counts(s) ___ which was accepted by the court.
[✓] was found guilty on count(s) 1 of the Indictment after a plea of not guilty.
Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
See next page.			

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

[ ] The defendant has been found not guilty on counts(s) ___ and is discharged as to such count(s).

[ ] Count(s) ___ (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

June 18, 2001
Date of Imposition of Judgment

Signature of Judicial Officer

SUSAN OKI MOLLWAY, United States District Judge
Name & Title of Judicial Officer

June 26, 2001
Date

ATTEST: A True Copy
WALTER A.Y.H. CHINN
Clerk, United States District
Court, District of Hawaii
By _____ Deputy

Title & Section	Nature of Offense	Count Number(s)
18 U.S.C. 2241(c)	Sex With Person Less Than 12 Years Old	1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 170 MONTHS .

[✔] The court makes the following recommendations to the Bureau of Prisons:
1) FCI Terminal Island if and when the defendant is eligible; 2) Alcohol and Mental Health Treatment.

[✔] The defendant is remanded to the custody of the United States Marshal.

[ ] The defendant shall surrender to the United States Marshal for this district.
[ ] at ___ on ___.
[ ] as notified by the United States Marshal.

[ ] The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
[ ] before _ on ___.
[ ] as notified by the United States Marshal.
[ ] as notified by the Probation or Pretrial Services Officer.

RETURN

I have executed this judgment as follows:

_____

_____

_____

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

_____
UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 YEARS .

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13,1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

[ ] The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

[✓] The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check if applicable).

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

1) the defendant shall not leave the judicial district without permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
4) the defendant shall support his or her dependants and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit home or her at an time a home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

1. That the defendant shall not have any contact with any minor child or reside in the same residence with minor children without the prior approval of the Probation Office.

2. That the defendant is prohibited from possessing any illegal or dangerous weapons.

3. That the defendant participate in a mental health program, which may include a sex offender treatment program until clinically discharged at the discretion and direction of the Probation Office.

4. That the defendant not consume alcohol during the term of supervised release.

5. That the defendant participate in a drug and alcohol abuse program, which may include drug and alcohol testing at the discretion and direction of the Probation Office.

ACKNOWLEDGMENT OF CONDITIONS

I have read or have had read to me the conditions of supervision set forth in this judgment and I fully understand them. I have been provided a copy of them.

I understand that upon finding of a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

Defendant — Date: 12-23-11

United States Probation Officer — Date: 12-23-11

FORM CR 291

REPORT - INDETERMINATE SENTENCE, OTHER SENTENCE CHOIC

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
BRANCH HALL OF JUSTICE

COURT I.D. 4|3|1|0|0

PEOPLE OF THE STATE OF CALIFORNIA VERSUS
DEFENDANT: JOHNNY ETIMANI
AKA:

[X] PRESENT [ ] NOT PRESENT

CASE NUMBER(S): 160689 -A; -B; -C; -D; -E

REPORT OF: [ ] DEATH SENTENCE [ ] INDETERMINATE SENTENCE [X] OTHER SENTENCE CHOICE
AMENDED REPORT [ ]

DATE OF HEARING (MO)(DAY)(YR)	DEPT. NO.	JUDGE	CLERK
03-02-93	34	JOHN T. BALL	M. PARKER

REPORTER	COUNSEL FOR PEOPLE	COUNSEL FOR DEFENDANT	PROBATION NO. OR PROBATION OFFICER
J. MAGEE	R. MENDOZA	A. JACHIMOWICZ	none present

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES (OR ALTERNATE FELONY/MISDEMEANORS):

[ ] ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT _____ (NUMBER OF PAGES)

COUNT	CODE	SECTION NUMBER	CRIME	YEAR OR DATE COMMITTED	DATE OF CONVICTION MO	DAY	YEAR	CONVICTED BY JURY TRIAL	COURT TRIAL	PLEA	654 STAY
01	PC	288(a)	Lewd & Lescivious Conduct with minor	91	03	02	93			X	

2. ENHANCEMENTS (charged and found true) TIED TO SPECIFIC COUNTS (mainly in the § 12022-series) including WEAPONS, INJURY, LARGE AMOUNTS OF CONTROLLED SUBSTANCES, BAIL STATUS, ETC.: For each count list enhancements horizontally. DO NOT LIST enhancements charged but not found true or striken under § 1385. DO NOT LIST TIME imposed. For indeterminate terms, report enhancements and time imposed for them on the abstract.

Count	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'

3. ENHANCEMENTS charged and found true FOR PRIOR CONVICTIONS OR PRIOR PRISON TERMS (mainly § 667-series) and OTHER. List all enhancements based on prior convictions or prior prison terms charged and found true. If 2 or more under that same section, repeat it for each enhancement (e.g., If 2 non-violent prior prison terms under § 667.5(b) list § 667.5(b) 2 times. DO NOT LIST enhancements not found true. Also enter here any enhancement not provided for in space 2. DO NOT LIST TIME imposed. For indeterminate terms, report enhancements and time for them on the abstract.

Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'	Enhancement	Yes or 'S'
Enhancement		Enhancement		Enhancement		Enhancement		Enhancement	

4. [ ] Defendant was sentenced **TO DEATH** on counts _____.

5. [ ] Defendant was sentenced to State Prison for an indeterminate term:
   A. [ ] For **LIFE**, or a term such as 15 or 25 years to life, **WITH POSSIBILITY OF PAROLE** on counts _____.
   B. [ ] For **LIFE WITHOUT** the possibility of parole on counts _____.
   C. [ ] For other term prescribed by law on counts _____. (Life Terms are on "A" and "B".)

6. [ ] Counts _____ are alternate felony/misdemeanors and were **DEEMED MISDEMEANORS.**
   A term in jail [ ] was [ ] was not ordered.

7. [X] For counts 01 the defendant was placed on **FELONY** probation.
   A. (1) [ ] Sentence pronounced and execution of sentence was suspended; or
      (2) [ ] Imposition of sentence was suspended.
   B. [X] Conditions of probation included [X] Jail Time [ ] Fine

8. [ ] Other dispositions
   A. [ ] Defendant was committed to California Youth Authority.
   B. [ ] Proceedings suspended, and defendant was committed to California Rehabilitation Center.
   C. [ ] Proceedings suspended, and defendant was committed as a Mentally Disordered Sex Offender.
   D. [ ] Proceedings suspended, and defendant was committed as a mentally incompetent.

[X] Formal Probation [X] Granted PTOR ars [X] For period co-terminous with Jail Sentence PTOR [ ] Defendant committed to CYA [ ] Advised of Appeal Right
[X] County Jail 354days with credit for time served of 354d days [ ] Consecutive/Concurrent _____ [ ] Pre-Processing date _____ at _____ M.
[ ] Jail sentence to be served on Weekend Work Program [ ] Weekend/s [ ] Work Furlough Recommended [ ] No Programs
[ ] Jail sentence stayed until _____ at _____ M. [ ] Review date _____ in Department _____
[ ] Jail sentence suspended pending completion of Commun, Altern,/Elect. Monit. Prgm._____ [ ] Perform_____ hours uncomp. commun, service work
[X] Restitution Fine $ 200 [ ] Drug Program Fee $ _____ [ ] Alcohol Education Fee $ _____ [ ] Fine $ _____ Penalty $ _____ [ ] Concurrent w/sentence at $ _____ / day
[ ] Lab Fee $ _____ [ ] Attorney Fees ordered $ _____ [ ] APO Rept. Fee $ _____ [ ] Probation Cost _____ /mo [X] other Fees: PC290.3 $100
[ ] _____ Counseling [ ] No Alcohol/drugs/or where sold [ ] Complete Alcohol/Drug Prgm _____ [ ] Release to representative _____
[ ] Submit to search/testing [ ] Not own/possess deadly/dangerous weapons [ ] Weapon ordered destroyed [ ] Restitution _____ [ ] Empl/Trg
[ ] Driver's License suspended/revoked _____ [ ] Restricted _____ [ ] Complete Multiple Offender Prgm/First Offender _____
[X] OTHER ORDERS: Defendant to register as sex offender. Restitution to victim for any ininsured medical,counseling costs related to offense. Defendant ordered released forthwith

Criminal Proceedings having been previously suspended [ ] Matter submitted on report of Dr. _____ [ ] Court finds Defendant [ ] a Narcotic Drug Addict
[ ] Incompetent [ ] Insane Defendant committed to [ ] California Rehabilitation Center under [ ] 3051 WI [ ] 3050 WI _____ State Hosp. [ ] 1370PC [ ] 1026PC
On Motion of the [X] People [ ] Defendant [ ] Court orders counts 2,3,4 dismissed.

Dated: 3-2-93

Judge of the Superior Court

Form# 9687 Rev. 2/90

OTHER SENTENCE CHOICE

THE FOREGOING INSTRUMENT IS
A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE
ATTEST: DAVID H. YAMASAKI

JAN 03 2012

CHIEF EXECUTIVE OFFICER/CLERK
SUPERIOR COURT OF CA COUNTY OF SANTA CLARA
IN AND FOR THE COUNTY OF SANTA CLARA
BY E. Kremerskotter DEPUTY

E. KREMERSKOTTER