STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	**JUDGMENT** OF CONVICTION AND PROBATION SENTENCE NOTICE OF ENTRY	CASE NUMBER CR. NO. 11-1-111K
STATE OF HAWAII vs. (DEFENDANT) LYLE C. CASE	ORIGINAL	POLICE REPORT NO. C10004229/SK

DEFENDANT'S PLEA (6-13-2011) _X_ GUILTY ____NOT GUILTY ____NO CONTEST	____JURY VERDICT _X_ JUDGE FINDINGS
ORIGINAL CHARGE(S) SEXUAL ASSAULT IN THE THIRD DEGREE	**CHARGE TO WHICH DEFENDANT PLEAD** SEXUAL ASSAULT IN THE THIRD DEGREE, in violation of Section707-732(1)(c), HRS, as amended

DEFENDANT IS CONVICTED AND FOUND GUILTY OF
SAME CHARGE TO WHICH DEFENDANT PLEAD

JUDGMENT AND SENTENCE OF THE COURT: PROBATION

TERM TEN (10) YEARS	**FINE**

SPECIAL CONDITIONS

____RESTITUTION

_X_ JAIL

____COMMUNITY SERVICE

__X__ OTHER (SEE ATTACHED TERMS AND CONDITIONS OF PROBATION)

I hereby certify that this is a full, true and correct copy of the original on file in this office.

S. Mandaguit

Clerk, Third Circuit Court, State of Hawaii

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.

IT IS FURTHER ORDERED that bail conditions be canceled.

DATE SIGNED	JUDGE	SIGNATURE
JUNE 13, 2011	RONALD IBARRA	

NOTICE OF ENTRY

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

DATE JUN 16 2011	CLERK Nicole K. Loo NICOLE K. LOO

FILED
2011 JUN 16 PM 3:11
C. GANDALIRA, CLERK
CIRCUIT COURT OF
THE THIRD CIRCUIT
STATE OF HAWAII

DISTRIBUTION: _X_ORIG. FILE _X_PROS _X_DEF _X_APS _X_POLICE HCCC/FISCAL/P. BRESCIANI

STATE OF HAWAII CIRCUIT COURT OF THE THIRD CIRCUIT	TERMS AND CONDITIONS OF PROBATION	CASE NUMBER CR NO. 11-1-111K

TO: DEFENDANT LYLE C. CASE,

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 a probation officer as directed by the court or the probation officer;

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 or employment;

5. You must notify a probation officer promptly if arrested or questioned by a law enforcement officer; and

6. You must permit a 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:

   A. Follow all reasonable instructions which are given to you by your probation officer.

SEE ATTACHED SHEET

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	DEFENDANT'S SIGNATURE	WITNESSED BY
6/13/11		INTERPRETED BY (PROBATION OFFICER)

CR NO. 11-1-111K
STATE OF HAWAII vs. LYLE C. ANDERSON
JUDGMENT OF CONVICTION AND PROBATION SENTENCE

B. SPECIAL CONDITIONS

You Shall:

1. Follow all reasonable instructions given to you by your probation officer.
2. Be committed to the custody of the Director of the Department of Public Safety for a period of incarceration of SIX (6) MONTHS, with all SIX (6) MONTHS stayed.
3. Perform FOUR HUNDRED (400) hours of community service.
   A. You shall complete eighty (80) hours per year.
4. As agreed, obtain a substance abuse assessment. You must pay for the assessment at your own expense, and follow any recommendations for treatment to clinical discharge. You shall obtain the assessment within ninety (90) days from the date of this order.
5. As agreed, pay restitution for the cost of therapy for during the term of your probation. The cost shall be submitted to you by your probation officer for payment.

   (NOTE: In addition to being a condition of Probation, this order for restitution, when attached to and incorporated as part of a judgment/order and sentence, may be used as a free standing order pursuant to HRS § 706-647.)
6. Pay a Crime Victim's Compensation Fund Fee in the amount of $105.00.
7. Pay a probation services fee in the amount of $150.00.
8. Pay a monetary assessment of $32.65, which is the actual cost of the DNA analysis, to the DNA registry special fund. The provisions in this case relating to payment of DNA fee assessment and provisions of DNA samples are not meant to duplicate these requirements once fulfilled in this or any other case unless explicitly provided otherwise by law or order of court.

9. Make minimum monthly payments in the amount of $10.00, beginning November 1, 2011, and every month thereafter. However, the entire amount shall be paid prior to the expiration of your probation period.

   (NOTE: Payments shall be applied in the same order as they are listed.)

10. Obtain/maintain legal, verifiable, full-time work or enroll in an educational and/or vocational training program as approved by your probation officer for the duration of your probation.
11. Not own, use, or possess any firearms or ammunition. If you have any firearms or ammunition, you must immediately turn them in to the appropriate county police department.
12. 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.
13. Not contact or attempt to contact, directly or indirectly, the victim(s): (NOTE: This does not include contact through your attorney or probation officer for legal or civil matters or for fulfillment of other required conditions of probation.)
14. Sign Waiver of Confidentiality form(s) to allow your probation officer to monitor your compliance with drug/alcohol treatment, mental health treatment and any other treatment required by the terms and conditions of your probation and your probation officer or the court.
15. Abide by any curfew, travel, and leisure time restrictions imposed by your probation officer.
16. Not be alone with children under the age of eighteen (18) years.
17. Write a letter of apology to victim(s): <u>if required in sex offender treatment. If you are not required to write a letter of apology, write a letter of apology within thirty (30) days from successful completion of the sex offender treatment</u>.
18. Appear for all scheduled hearings and/or comply with the notice to appear

issued by the Court or your probation officer.

19. Participate with your probation officer in the development and fulfillment of case plan(s) as it relates to assessment results.
20. 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.
21. Sign the terms and conditions of probation. Upon verification that the terms and conditions of probationl have been executed, bail conditions shall be cancelled.
22. Sign a Waiver of Extradition.
23. Contact the Adult Probation Department at 443-2191 not later than Wednesday, June 15, 2011 at 12:00 p.m., to schedule your first appointment with a probation officer.

SEX OFFENDER CONDITIONS:

24. Successfully participate in the Hawaii Sex Offender Treatment Program (HSOTP), with the provision that you obtain and maintain sex offender treatment, at your own expense as agreed. In the event you are unable to pay and your probation officer determines you are unable to pay, you shall participate in treatment with a Judiciary contracted therapist with payment to be made in accordance with the Adult Probation payment formula.
25. Refrain from purchasing, possessing, or accessing via the Internet or other electronic database, pornography, or any other inappropriate audio or visual materials as clinically defined by your primary therapist; nor shall you frequent any place where such material is available to you.
26. Refrain from hitchhiking and picking up hitchhikers.
27. Remain away from schools, playgrounds, theaters or other locations where unsupervised minors congregate.
28. Obtain and maintain a residence as approved by your probation officer.
29. Pay for and submit to polygraph examinations at your own expense as directed by your sex offender therapist and your probation officer.
30. Submit to pleythysmograph examinations at your own expense in

accordance with your ability to pay and as directed by your sex offender therapist and your probation officer.

31. Obtain a psychosexual evaluation at your own expense in accordance with your ability to pay and as directed by your sex offender therapist and your probation officer.

32. Register as a sex offender with the Chief of Police of the Hawaii County Police Department, and in accordance with the sex offender addendum.

33. Inform your employer of the offense as required by sex offender treatment and as directed by your probation officer.