

TAMMY Y. KANESHIRO 6287
Regulated Industries Complaints Office
Department of Commerce and Consumer Affairs
State of Hawaii
Leiopapa A Kamehameha Building
235 South Beretania Street, 9th Floor
Honolulu, Hawaii 96813
Telephone: 586-2660

RECEIVED
PROF & VOCATIONAL
LICENSING DIVISION

NOV 16 2017 9:56

DEPT OF COMMERCE
& CONSUMER AFFAIRS
STATE OF HAWAII

Attorneys for Department of Commerce
and Consumer Affairs

BOARD OF PRIVATE DETECTIVES AND GUARDS
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
STATE OF HAWAII

HEARINGS
OFFICE

2017 NOV 16 P 3:23

DEPT OF COMMERCE
AND CONSUMER AFFAIRS

In the Matter of the Guard's Registration of) PDG 2016-63-L
)
FREDDY J. FREDDY,) SETTLEMENT AGREEMENT PRIOR TO
) FILING OF PETITION FOR DISCIPLINARY
Respondent.) ACTION AND BOARD'S FINAL ORDER;
) EXHIBITS "1" - "2"

241042211 (PDG 2016-63-L)

SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION
FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER

Petitioner, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS'
REGULATED INDUSTRIES COMPLAINTS OFFICE (hereinafter "RICO" or "Petitioner"),
through its undersigned attorney(s), and Respondent FREDDY J. FREDDY (hereinafter
"Respondent"), enter into this Settlement Agreement on the terms and conditions set forth below.

A. UNCONTESTED FACTS:

1. At all relevant times herein, Respondent was registered by the Board of Private Detectives and Guards (hereinafter the "Board") as a guard under registration number GDE 5709. The registration was issued on or about July 1, 2013. The registration will expire or forfeit on or about June 30, 2018.

2. At all relevant times herein, Respondent was registered as a guard in the State of Hawaii.

3. Respondent's address for purposes of this action is 74-5071 Kumakani Street, Kailua-Kona, Hawaii 96740.

4. On or about August 3, 2011, in the District Court of the Third Circuit, Respondent was convicted of Driving Without a Valid Driver License in case number 3DTC-11-042564.

Attached hereto as Exhibit "1" is a copy of the court documents for that conviction.

5. On or about July 1, 2013, Respondent submitted an application for guard employee registration to the Board wherein he answered "NO" to question number 5 "Have you ever been convicted in any jurisdiction of a crime in which the conviction has not been annulled or expunged?"

6. On or about October 23, 2014, in the District Court of the Third Circuit, Respondent was convicted of Driving Motor Vehicle With Improper Driver License in case number 3DTC-14-050983. Attached hereto as Exhibit "2" is a copy of the court documents for that conviction.

7. On or about May 22, 2016, Respondent submitted a renewal application to the Board wherein he answered "No" to question number 3 "in the past 2 years have you been convicted of a crime in which the conviction has not been annulled or expunged?"

8. RICO alleges Respondent procured his registration through misrepresentation, that he made a misrepresentation of a material fact in submission of his employee registration information to the Board, and that he made a misrepresentation of material fact in obtaining a registration.

9. The foregoing allegations, if proven at an administrative hearing before the Board, would constitute violations of the following statute(s) and/or rule(s): Hawaii Revised Statutes ("HRS") § 436B-19(5) (procuring license through fraud, misrepresentation, or deceit) and Hawaii Administrative Rules ("HAR") §§ 16-97-46(10) (misrepresentation of any material fact in submission of employee registration information to the board) and 16-97-46(12) (misrepresentation of a material fact by applicant in obtaining a license).

10. The Board has jurisdiction over the subject matter herein and over the parties hereto.

B. REPRESENTATIONS BY RESPONDENT:

1. Respondent is fully aware that Respondent has the right to be represented by an attorney and voluntarily waives that right.

2. Respondent enters into this Settlement Agreement freely, knowingly, voluntarily, and under no coercion or duress.

3. Respondent is aware of the right to have a hearing to adjudicate the issues in the case. Pursuant to HRS § 91-9(d), Respondent freely, knowingly, and voluntarily waives the right to a hearing and agrees to dispose of this case in accordance with the terms and conditions of this Settlement Agreement.

4. Respondent, being at all times relevant herein registered as a guard by the Board,

acknowledges that Respondent is subject to penalties including but not limited to, revocation, suspension or limitation of the registration and administrative fines, if the foregoing allegations are proven at hearing.

5. Respondent represents that he did not intentionally misrepresent on his applications and apologizes. Respondent does not admit to violating any law or rule, but acknowledges that RICO had sufficient cause to file a Petition for Disciplinary Action against his registration.

6. Respondent enters into this Settlement Agreement as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing on this matter.

7. Respondent agrees that this Settlement Agreement is intended to resolve the issues raised in RICO's investigation in RICO Case No. PDG 2016-63-L.

8. Respondent understands this Settlement Agreement is public record pursuant to Hawaii Revised Statutes Chapter 92F.

C. TERMS OF SETTLEMENT:

1. Administrative Fine. Respondent agrees to pay a fine in the amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). Payment shall be made by **cashier's check or money order made payable to "DCCA - Compliance Resolution Fund"** and mailed to the Regulated Industries Complaints Office, Attn.: Tammy Y. Kaneshiro, Esq., 235 S. Beretania Street, 9th Floor, Honolulu, Hawaii 96813. Payment of the fine shall be due before the close of business on November 1, 2017.

2. Failure to Comply with Settlement Agreement. If Respondent fails to fully and timely comply with the terms of this Settlement Agreement, (including failure to comply with the terms of the Federal probation), as set forth in paragraph(s) C.1 above, Respondent's registration shall be automatically revoked upon RICO's filing of an affidavit with the Board attesting to such failure. In case of such revocation, Respondent shall turn in all indicia of the registration to the Executive Officer of the Board within ten (10) days after receipt of notice of the revocation. In case of such revocation, Respondent understands Respondent cannot apply for a new registration until the expiration of at least five (5) years after the effective date of the revocation. Respondent understands that if Respondent desires to become registered again, Respondent must apply to the Board for a new registration pursuant to and subject to HRS §§ 92-17, 436B-21, and all other applicable laws and rules in effect at the time.

3. Possible Further Sanction. The Board, at its discretion, may pursue additional disciplinary action as provided by law to include further fines and other sanctions as the Board may deem appropriate if Respondent violates any provision of the statutes or rules governing the conduct of guards in the State of Hawaii, or if Respondent fails to abide by the terms of this Settlement Agreement.

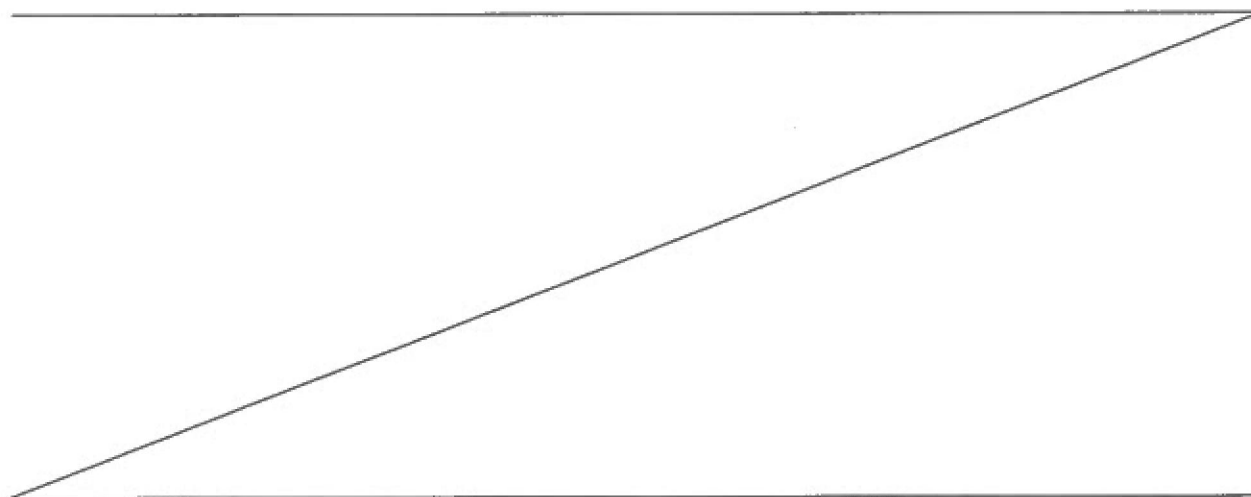
4. Approval of the Board. Respondent agrees that, except for the representations, agreements and covenants contained in Paragraphs C.5., C.6., C.7., and C.8. below, this Settlement Agreement shall not be binding on any of the parties unless and until it is approved by the Board.

5. No Objection if Board Fails to Approve. If the Board does not approve this Settlement Agreement, does not issue an order pursuant thereto, or does not approve a lesser remedy, but instead an administrative hearing is conducted against Respondent in the Board's usual and customary fashion pursuant to the Administrative Procedure Act, Respondent agrees that neither Respondent nor any attorney that Respondent may retain, will raise as an objection in any administrative proceeding or in any judicial action, to the Board's proceeding against Respondent on the basis that the Board has become disqualified to consider the case because of its review and consideration of this Settlement Agreement.

6. Any Ambiguities Shall be Construed to Protect the Consuming Public. It is agreed that any ambiguity in this Settlement Agreement is to be read in the manner that most completely protects the interests of the consuming public.


7. No Reliance on Representations by RICO. Other than the matters specifically stated in this Settlement Agreement, neither RICO nor anyone acting on its behalf has made any representation of fact, opinion or promise to Respondent to induce entry into this Settlement Agreement, and Respondent is not relying upon any statement, representation or opinion or promise made by RICO or any of its agents, employees, representatives or attorneys concerning the nature, extent or duration of exposure to legal liability arising from the subject matter of this Settlement Agreement or concerning any other matter.

8. Complete Agreement. This Settlement Agreement is a complete settlement of the rights, responsibilities and liabilities of the parties hereto with respect to the subject matter hereof; contains the entire agreement of the parties; and may only be modified, changed or amended by written instrument duly executed by all parties hereto.



IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date(s) set forth below.

DATED: Kailua-Kona, Hawaii, 23, October 2017.
(City) (Date)


FREDDY J. FREDDY
Respondent

DATED: Honolulu, Hawaii, 11/1/17.


TAMMY Y. KANESHIRO
Attorney for Department of Commerce
and Consumer Affairs

IN THE MATTER OF THE GUARD'S REGISTRATION OF FREDDY J. FREDDY; SETTLEMENT AGREEMENT PRIOR
TO FILING OF PETITION FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER; EXHIBITS "1" AND "2";
RICO CASE NO. PDG 2016-63-L

STATE OF HAWAII

COUNTY OF HAWAII

)
) SS.
)

On this 24th day of October, 2017, before me personally appeared
FREDDY J. FREDDY, to me known to be the person described, and who executed the foregoing
instrument and acknowledged that he/she executed the same as his/her free act and deed.

This 1-page SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION
FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER document dated
October 23rd, 2017 was acknowledged before me by
[Date Document Signed by Respondent]

FREDDY J. FREDDY this 24th day of October, 2017, in the County
of Hawaii, in the State of Hawaii.



Dustielee Ascino
Name: Dustielee Ascino
Notary Public, State of Hawaii Third Circuit
Commission No. 00-603
My Commission expires: July 24, 2019

10/24/2017
Doc. Date: 10/24/2017 # Pages: 1
Notary Name: Dustielee Ascino Third Circuit
Doc. Description: Settlement
Freddy J. Freddy
B. of priv. detective's guard's
1 10/24/2017
Notary Signature: [Signature] Date: 10/24/2017

IN THE DISTRICT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII

FILED ON:
03-AUG-2011
01:46 PM

Freddy J. Freddy
75-181 Kalani Street
Kailua Kona, HI 96740

JUDGMENT AND NOTICE OF ENTRY OF JUDGMENT

Case ID: 3DTC-11-042564 Defendant Name: Freddy J. Freddy Party ID: @1262858 Vehicle Plate No.: HHE971

Count - Section - Description:
1 - HRS 286-102 DRIVG W/O VALID DRIVER LICENSE

Citation:
3DTC-11-042564

Arrest
Report
Number:

AMENDED TO: Count - Section - Description:

Count - Plea:
1 - Guilty

Count - Disposition:
1 - Accept Gilty Plea Prior to Trial

Judgment Date: 03-AUG-2011 KN A 13:00:00 Entry of Plea

Judgment:

COUNT 1 \$100 Fine/Monetary Assmt Fine and fees due in 90 days
COUNT 1 \$7 Driver Education Assmt Fee
COUNT 1 \$30 Crime Victim Fee

Collection Agency in 90 Days - 03-AUG-2011 -
Judgment of Conviction - 03-AUG-2011 -
Hearing Held - 03-AUG-2011 - (JPF/md/1340/jg/en) Defendant present with kosrae
interpreter, Gabriel Alokoa. Defendant plead guilty. Oral advice of rights given. (lc)
Judgment and Notice - 03-AUG-2011 -

Bond Posted: Bail/Bond ID: Surety: Agent/Payor:

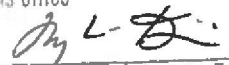
Return Court Date For:

Release Status:

Prosecuting Attorney:
Mark Disher

Defense Attorney:

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


Clerk District Court of the Third Circuit
State of Hawaii

3DTC-11-042564 KN1-2200000621-214
State v. Freddy J. Freddy 2 Pages
State of Hawaii 08/03/2011 01:47 PM JNEJP
Kona DC

EXHIBIT 7

Freddy J. Freddy

3DTC-11-042564

JUDGMENT AND NOTICE OF ENTRY OF JUDGMENT

Dated: 03-AUG-2011

/S/ Joseph P Florendo.

Judge of the Above-Entitled Court

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was duly served upon Defendant or Defendant's counsel (if represented)

☒ [X] in court on 03-AUG-2011

☐ [] by certified mail, return receipt requested, mailed on _____

☐ [] by mail at the address provided in the court record

☐ [] in person at _____ on _____ at _____

/S/ Wendy Terada

Clerk of the Above-Entitled Court



In accordance with the Americans with Disabilities Act if you require an accommodation or assistance, please contact the District Court Administration Office at PHONE NO. (808) 934-5788, FAX (808) 935-1959, or TTY (808) 961-7525 at least ten (10) working days in advance of your hearing or appointment date.

PRINTABLE CALENDAR VIEW

Generated: 16-DEC-2016 08:53 AM

User: J3DKNCT_MRK

Search Criteria: Case ID or Citation Number: 3DTC-11-042564

1 record(s) total

Case ID: 3DTC-11-042564 - State v. Freddy J. Freddy -NON JURY- Type: TC - Traffic Crime Status: CLOSED - Closed Case-Judgment Satisfied Last Updated: 30-Mar-2012 ID: @1262858 JUV: N Party Status: Not Specified	Filing Date: TUESDAY, APRIL 19, 2011 Court: THIRD CIRCUIT Location: KONA DIVISION	Balance Due: \$0.00
CDL: N CMV: N HAZ: N	Citation / Arrest:	Alleged Speed: ~ / ~

Violations

Violation					Disposition			Sentence		
No.	Code	Description	Date	Spl Crts Eligibility	Code	Description	Date	Code	Description	Length
1	HRS 286-102	DRIVG W/O VALID DRIVER LICENSE	04/14/2011		GLP	Accpt Gilty Plea Prior to Trial	08/03/2011	100	\$100 Fine/Monetary Assmt	
								DE7	\$7 Driver Education Assmt Fee	
								CV1	\$30 Crime Victim Fee	

Related Cases

No related cases were found.

Date	Docket	Party
04/19/2011	Citation-Traffic Crime Arrest	
05/19/2011	Order/Notice of Entry Printed Docket entry for the letter produced from NMAMAIN on 19-MAY-2011 by J3DKNCTWRMT.	
05/19/2011	Motion to Continue Defendant requested a Kosraen speaking interpreter. (wt)	
05/19/2011	Oral Order Motion Granted	
05/19/2011	Hearing Held (DKK/SL/0938/JG/EN) Defendant present. Continued to July 06, 2011 at 1:00 p.m. for arraignment and plea. Notice given (wt)	
05/19/2011	Order & Notice of Entry of Ord	
07/06/2011	Order/Notice of Entry Printed Docket entry for the letter produced from NMAMAIN on 06-JUL-2011 by J3DKNCTLJNC.	

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


Clerk District Court of the Third Circuit
State of Hawaii

Date	Docket	Party
07/06/2011	Hearing Held (JPF/md/1404/en/lc) Defendant present. Kosrae interpreter unable to appear today. Defendant ordered to return to court on August 3, 2011 at 1pm for Plea. (lc)	
07/06/2011	Order & Notice of Entry of Ord	
08/03/2011	Judgment and Notice Printed Docket entry for the letter produced from NMAMAIN on 03-AUG-2011 by J3DKNCTLJNC.	
08/03/2011	Collection Agency in 90 Days	
08/03/2011	Judgment of Conviction	
08/03/2011	Hearing Held (JPF/md/1340/jg/en) Defendant present with kosrae interpreter, Gabriel Alokoa. Defendant plead guilty. Oral advice of rights given. (lc)	
08/03/2011	Judgment and Notice	
11/15/2011	Collection Agency Submitted	
03/30/2012	Judgment Complete A Payment of -\$137.00 was made on receipt 3DSH175001	

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves assessing the outcomes against the objectives and goals and identifying any areas for improvement or further action.

CITATION NO.

DEFENDANT ID on Person ☒ Y ☐ N

COURT

Clerk District Court of the Third Circuit
State of Hawaii

3D-V-046 (10/10)

COURT

This decision has been redacted and reformatted for publication purposes and contains all of the original text of the actual decision.

**State of Hawai'i - Citation for Traffic Crime(s) Arrest
In the District Court of the Third Circuit**

IMPORTANT INSTRUCTIONS – READ CAREFULLY

This Citation for Traffic Crime(s) Arrest (Citation) charges you with committing one or more traffic crimes, in violation of a section of the Hawai'i Revised Statutes (HRS), the Hawai'i Administrative Rules (HAR), or the Hawai'i County Code (HCC). This Citation summons you to appear before the District Court of the Third Circuit to answer the charge(s) on the date and at the time and location designated in the Summons on the front of this Citation. Failure to appear in court as summoned may result in the forfeiture of any bail you may have posted, your arrest for other offenses, and/or imposition of additional penalties, including fines, court costs, fees, and imprisonment.

INFORMATION ABOUT YOUR COURT APPEARANCE

Please arrive early on the date of your court hearing. If you are not present in the courtroom when your case is called, a bench warrant for your arrest (for contempt of court, failure to appear, or other charges) may be issued, and your bail/bond may be forfeited. Bring this Citation to court with you, and check in with the bailiff or court clerk when you arrive at the proper courtroom.

Your Rights to Trial and Counsel: Depending on the charge(s) against you, you may be entitled to a trial by jury. Additionally, if you cannot afford an attorney and are charged with an offense punishable by imprisonment, you may be entitled to have an attorney appointed by the court to represent you at no cost to yourself. If you wish to apply for legal services through the Office of the Public Defender, you will be required to complete a written application. You will be informed of these rights at your court appearance.

Driver's License Offenses: If you are charged with operating a motor vehicle without a valid driver's license (HRS Section 286-102), your case may be dismissed by the Court if you produce in court proof of a valid driver's license, in the form of an affidavit from the Driver Licensing Division of your state/county, verifying that you were validly licensed on the date of the offense. You may also present a completed driver's license affidavit at the District Court, with a completed Motion, at least fourteen (14) days prior to your scheduled court date and seek a dismissal of the charge upon a judge's review. Motion forms are available at the Hilo, Kona and South Kohala District Court locations (see addresses below).

Insurance Offenses: If you are charged with not having a valid motor vehicle insurance policy (HRS Section 431:10C-104) or valid motorcycle/motor scooter insurance policy (HRS Section 431:10G-102), your case may be dismissed by the Court if you produce in court proof that the vehicle was covered by a policy of insurance at the time of the alleged offense, in the form of an affidavit which is completed by the vehicle's insurance company. You may also present a completed insurance affidavit at the District Court, with a completed Motion, at least fourteen (14) days prior to your scheduled court date and seek a dismissal of the charge upon a judge's review. The insurance

affidavit form and Motion forms are available at the Hilo, Kona and South Kohala District Court locations (see addresses below).

If You Cannot Appear In Court on the Date and at the Time Designated in the Summons: If you have a valid reason for not being able to appear in court on the date and at the time designated in the Summons, you must file with the designated district court a written motion to request a continuance of your hearing, either (1) by mail to the designated court at the address listed below, or (2) in person at the designated court at the address listed below. You must explain your reason(s) for requesting a continuance. The designated district court must receive your motion for continuance no later than 48 hours prior to your scheduled court date and time. If your motion is granted, you will be informed of the new court date and time. If your motion is denied, you must appear in court as summoned by this Citation. Continuance request forms are available at any district court or via the Internet at <http://www.courts.state.hi.us>.

IMPORTANT NOTE FOR JUVENILE DEFENDANTS

Juvenile defendants under eighteen (18) years of age must be accompanied by a parent or legal guardian when appearing before the court.

INFORMATION ABOUT YOUR PRIVACY

Disclosure of the last four digits of your Social Security Number (SSN) on this Citation is mandatory pursuant to HRS §803-6(c)(2). The last four digits of your SSN will be used for identification purposes in administering state and federal driver's license and motor vehicle laws, including laws governing the revocation of a driver's license and proof of financial responsibility.

HILO DIVISION

Hale Kaulike
777 Kilauea Avenue
Hilo, Hawai'i 96720
Mail: 777 Kilauea Avenue
Hilo, Hawai'i 96720

PUNA DIVISION

Hale Kaulike
777 Kilauea Avenue
Hilo, Hawai'i 96720
Mail: 777 Kilauea Avenue
Hilo, Hawai'i 96720

N & S KONA DIVISION

79-1020 Haukapila Street
Kealahakua, Hawai'i 96750
Mail: 79-1020 Haukapila Street
Kealahakua, Hawai'i 96750

KA'Ū DIVISION

95-5669 Mamalahoa Highway
Na'alehu, Hawai'i 96772
Mail: 79-1020 Haukapila Street
Kealahakua, Hawai'i 96750

HĀMAKUĀ DIVISION

45-3362 Mamane Street
Honoka'a, Hawai'i 96727
Mail: 67-5187 Kamamalu Street
Kamuela, Hawai'i 96743-8439

SOUTH KOHALA DIVISION

Waimea Civic Center
67-5187 Kamamalu Street
Kamuela, Hawai'i 96743
Mail: 67-5187 Kamamalu Street
Kamuela, Hawai'i 96743-8439

NORTH KOHALA DIVISION

54-3900 Kapa'au Road
Kapa'au, Hawai'i 96755
Mail: 67-5187 Kamamalu Street
Kamuela, Hawai'i 96743-8439



If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 961-7424, FAX: (808) 961-7411, TTY: (808) 961-7422, at least ten (10) working days before your proceeding, hearing, or appointment date.

IN THE DISTRICT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII

FILED ON:
23-OCT-2014
02:32 PM

Freddy J Freddy
74-5071 Kumakani St
Kailua Kona, HI 96740

JUDGMENT AND NOTICE OF ENTRY OF JUDGMENT

Case ID: 3DTC-14-050983 Defendant Name: Freddy J Freddy Party ID: @1262858 Vehicle Plate No.: PZF537

Count - Section - Description:
1 - HRS 286-102(b) DRV MV W/IMPROPER DL
3 - HRS 291-12 INATTENTION TO DRIVING

Citation:
3DTC-14-050983
3DTC-14-050983

Arrest
Report
Number:

AMENDED TO: Count - Section - Description:

Count - Plea:
1 - Guilty
3 - Not Guilty

Count - Disposition:
1 - Accep Gty Plea Prior to Trial
3 - Dismissed With Prejudice

Judgment Date: 23-OCT-2014 KN A 14:00:00 Pretrial Conference

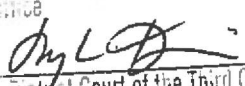
Judgment:
COUNT 1 \$250 Fine/Monetary Assmt
COUNT 1 \$7 Driver Education Assmt Fee
COUNT 1 \$30 Crime Victim Fee

Collection Agency in 90 Days - 23-OCT-2014 -
Judgment of Conviction - 23-OCT-2014 -
Hearing Held - 23-OCT-2014 - (APW/mdd/1449/kb/cn) Defendant present with Deputy
Public Defender, Frederick Macapinlac. Pursuant to plea agreement, count 3 dismissed.
Defendant plead guilty to count 1. (lc)
Judgment and Notice - 23-OCT-2014 -
Written Submission of Plea - 23-OCT-2014 -

Bond Posted: Bail/Bond ID: Surety: Agent/Payor:

Return Court Date For:

Release Status:

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

Clerk District Court of the Third Circuit
State of Hawaii

3DTC-14-050983 KN1-2200001021-189
State v. Freddy J Freddy 2 Pages
State of Hawaii 10/23/2014 02:33 PM
Kona DC JNEJP

EXHIBIT 2

This decision has been redacted and reformatted for publication purposes and contains all of the original text of the actual decision.

MITCHELL D. ROTH 6012
Prosecuting Attorney

MARK D. DISHER 8987
Deputy Prosecuting Attorney
County of Hawai'i
81-980 Haleki'i Street, Ste. 150
Kealahakua, Hawai'i 96750
Tel. No. 322-2552

Attorneys for State of Hawai'i

Electronically Filed
THIRD CIRCUIT
3DTC-14-050983
20-AUG-2014
10:35 AM

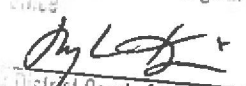
IN THE DISTRICT COURT OF THE THIRD CIRCUIT
NORTH AND SOUTH KONA DIVISION
STATE OF HAWAII

STATE OF HAWAII)	CASE NO. 3DTC-14-050983
)	
vs.)	
)	
FREDDY J. FREDDY,)	AMENDED COMPLAINT
)	
Defendant.)	
_____		Court Date: 8-21-2014 @ 8:30 a.m.

AMENDED COMPLAINT

COUNT 1

On or about the 8th day of July, 2014, in Kona, County and State of Hawai'i, FREDDY J. FREDDY, did intentionally, knowingly and/or recklessly operate a motor vehicle of a category listed in Section 286-102 of the Hawai'i Revised Statutes, without first being appropriately examined and duly licensed as a qualified driver of that category of motor vehicles, thereby committing the offense of Driving Without a License, in violation of Section 286-102(b), Hawai'i Revised Statutes, as amended.

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

District Court of the Third Circuit
State of Hawaii

COUNT 2

On or about the 8th day of July, 2014, in Kona, County and State of Hawai'i, FREDDY J. FREDDY, intentionally, knowingly, and/or recklessly operated or used a motor vehicle upon a public street, road or highway of this State at a time when such motor vehicle was not insured under a motor vehicle insurance policy, thereby committing the offense of Conditions of Operation and Registration of Motor Vehicles, commonly referred to as No No-Fault Insurance, in violation of Section 431:10C-104(a), Hawai'i Revised Statutes, as amended.

COUNT 3

On or about the 8th day of July, 2014, in Kona, County and State of Hawai'i, FREDDY J. FREDDY did intentionally, knowingly and/or recklessly operate a vehicle without due care and/or in a manner so as to cause a collision with, or injury or damage to, a person, vehicle and/or other property thereby committing the offense of Inattention to Driving, in violation of Section 291-12, Hawai'i Revised Statutes, as amended.

Dated: Kealahue, August 20, 2014.



MARK D. DISHER
Deputy Prosecuting Attorney

IN THE DISTRICT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII

FILED ON:
22-SEP-2014
09:22 AM

Freddy J Freddy
74 991 Manawalea #5D
Kailua Kona, HI 96740

ORDER AND NOTICE OF ENTRY OF ORDER

Case ID:	Defendant Name:	Party ID:	Vehicle Plate No.:
3DTC-14-050983	Freddy J Freddy	@1262858	PZF537

Count - Section - Description:
1 - HRS 286-102(b) DRV MV W/IMPROPER DL
2 - HRS 431:10C-104(a) NO MOTOR VEH INSURANCE
3 - HRS 291-12 INATTENTION TO DRIVING

Citation:
3DTC-14-050983
3DTC-14-050983
3DTC-14-050983

Arrest
Report
Number:

AMENDED TO: Count - Section - Description:

Count - Plea:
1 - Not Guilty
2 - Not Guilty
3 - Not Guilty

Count - Disposition:
2 - Dismissed With Prejudice

Ordered Date: 22-SEP-2014 KN A 08:30:00 Arraignment and Plea

Order:

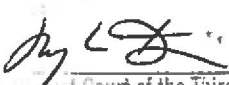
Hearing Held - 22-SEP-2014 - (APW/bbp/0917/jg/kb) Defendant present with Deputy Public Defender, Frederick Macapinlac. Defendant produced State Farm insurance affidavit noting vehicle insured on date of violation. Count 2 dismissed for proof shown. Defense showed letter from State Farm noting damage has been paid. Not guilty entered on counts 1 & 3. Defendant ordered to return to court on October 23, 2014 at 2pm for Pretrial conference. (lc)
Order & Notice of Entry of Ord - 22-SEP-2014 -

Bond Posted:	Bail/Bond ID:	Surety:	Agent/Payor:
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Return Court Date For:
Pretrial Conference ON 23-OCT-2014 AT 02:00:00 PM
IN COURTROOM A at Kona District Court

Release Status:

3DTC-14-050983 KN1-2200001011-045
State v. Freddy J Freddy 2 Pages
State of Hawaii 09/22/2014 09:23 AM
Kona CC ONEOP

Copy of this is a full, true
copy of the original on file in

District Court of the Third Circuit
Hawaii

Freddy J Freddy
3DTC-14-050983
ORDER AND NOTICE OF ENTRY OF ORDER

Prosecuting Attorney:
Britani Barker

Defense Attorney:

Dated: 22-SEP-2014

/S/ Andrew P. Wilson
Judge of the Above-Entitled Court



CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was duly served upon Defendant or Defendant's counsel (if represented)

- ☒ in court on 22-SEP-2014
☐ by certified mail, return receipt requested, mailed on _____
☐ by mail at the address provided in the court record
☐ in person at _____ on _____ at _____

/S/ Krystal Brumaghim
Clerk of the Above-Entitled Court



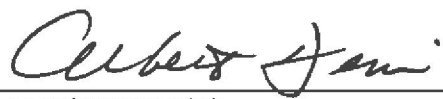
In accordance with the Americans with Disabilities Act if you require an accommodation or assistance, please contact the District Court Administration Office at PHONE NO (808) 934-5788, FAX (808) 935-1959, or TTY (808) 961-7525 at least ten (10) working days in advance of your hearing or appointment date.

IN THE MATTER OF THE GUARD'S REGISTRATION OF FREDDY J. FREDDY;
SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION FOR DISCIPLINARY
ACTION AND BOARD'S FINAL ORDER; EXHIBITS "1" AND "2";
RICO CASE NO. PDG 2016-63-L

APPROVED AND SO ORDERED:
BOARD OF PRIVATE DETECTIVES AND GUARDS
STATE OF HAWAII


RAY GALAS
Chairperson


DATE


ALBERT DENIS
Vice Chairperson


CHIEF DARRYL PERRY


CHIEF TIVOLI FAAUMU


KENNETH CHANG


DOUGLAS H. INOUE

PVL 07/17