

## MINUTES

CASE NUMBER: CR10-00384SOM  
CASE NAME: USA v. (06) Wesley Mark Sudbury  
(10) John Debaptist Bouey, III.  
(11) Michael B. Shapiro  
ATTYS FOR PLA: Michael Kawahara  
ATTYS FOR DEFT: (06) Michael Park  
(10) Cynthia Kagiwada  
(11) Clifford Hunt  
INTERPRETER:

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JUDGE:	Kevin S.C. Chang	REPORTER:	FTR C5
DATE:	7/12/2010	TIME:	1:38-1:52pm

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COURT ACTION: EP: Detention Hearing - defendants 06, 10 and 11 present, all in custody.

as to Defendant 06:

Defendant stipulates to the Pretrial Services report. Government has no objection to the Pretrial Services report. Motion to Detain denied and terminated.

Bail -

Execute an unsecured bond in the amount of \$25,000.

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
- (7c) Maintain or actively seek employment, as directed by Pretrial Services.
- (7g1) Surrender any passport and all travel documents to the U.S. District Court Clerk's Office. Do not apply for/obtain a passport. Unless otherwise specified by the Court, the U.S. District Court Clerk's Office is directed to return the posted passport to the defendant upon disposition of this case. Surrender no later than: July 19, 2010.
- (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.

- (7i) Do not change residence without the advance approval of Pretrial services.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
- (7u1) Do not use or possess illicit drugs, including marijuana and/or products containing marijuana, THC, or synthetic THC, and do not be in the presence of illicit drug use or drug users/traffickers.
- (7v1) To ensure compliance with the restriction on illicit drug use, submit to random drug detection testing as approved by Pretrial Services.
- (7y) You must contribute toward the costs of the services required by this bond, to the extent you are financially able to do so, as determined by Pretrial Services.
- (9a) In conjunction with the Ho'okele program, the Court authorizes the defendant to participate in voluntary stress and anxiety counseling as arranged by Pretrial Services.

Other Conditions: Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

**The court directs the USMS to provide a one-way ticket for defendant's return to the Big Island.**

as to Defendant 10:

Defendant submits on the Pretrial Services report. Government has no objection to the Pretrial Services report. Motion to Detain denied and terminated.

Bail -

Execute an unsecured bond in the amount of \$25,000.

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
- (7c) Maintain or actively seek employment, as directed by Pretrial Services.
- (7g2) Do not apply for/obtain a passport.
- (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.
- (7i) Do not change residence without the advance approval of Pretrial services.

- (7n) Undergo a psychiatric/mental health evaluation and participate in any recommended counseling as approved by Pretrial Services. Take all medications as prescribed.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
- (7t1) Do not consume any alcoholic beverages or products containing alcohol while on bond.
- (7u1) Do not use or possess illicit drugs, including marijuana and/or products containing marijuana, THC, or synthetic THC, and do not be in the presence of illicit drug use or drug users/traffickers.
- (7v1) To ensure compliance with the restriction on illicit drug use, submit to random drug detection testing as approved by Pretrial Services.
- (7w1) To ensure compliance with the restriction on alcohol use, submit to random alcohol detection testing as approved by Pretrial Services.
- (7y) You must contribute toward the costs of the services required by this bond, to the extent you are financially able to do so, as determined by Pretrial Services.
- (9a) In conjunction with the Ho'okele program, the Court authorizes the defendant to participate in voluntary stress and anxiety counseling as arranged by Pretrial Services.

Other Conditions: Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

**As provided in the Second Chance Act of 2007, Pretrial Services is directed to pay for the defendant's airline ticket (one-way) from court to the island of residence. The Court has determined that this is an emergency (one time event), the defendant lacks the financial resources, and a basic humanitarian need is being met (transportation).**

as to Defendant 11:

Defendant concurs with the Pretrial Services report. Government has no objection to the Pretrial Services report. Motion to Detain denied and terminated.

Bail -

Execute an unsecured bond in the amount of \$25,000.

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
- (7g2) Do not apply for/obtain a passport.
- (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.
- (7i) Do not change residence without the advance approval of Pretrial services.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
- (7u1) Do not use or possess illicit drugs, including marijuana and/or products containing marijuana, THC, or synthetic THC, and do not be in the presence of illicit drug use or drug users/traffickers.
- (7v1) To ensure compliance with the restriction on illicit drug use, submit to random drug detection testing as approved by Pretrial Services.
- (7y) You must contribute toward the costs of the services required by this bond, to the extent you are financially able to do so, as determined by Pretrial Services.
- (9a) In conjunction with the Ho'okele program, the Court authorizes the defendant to participate in voluntary stress and anxiety counseling as arranged by Pretrial Services.

Other Conditions: **As provided in the Second Chance Act of 2007, Pretrial Services is directed to pay for the defendant's airline ticket (one-way) from court to the island of residence. The Court has determined that this is an emergency (one time event), the defendant lacks the financial resources, and a basic humanitarian need is being met (transportation).**

Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

Defendants are remanded to the custody of the USMS pending processing of paperwork.

Submitted by: Shari Afuso, Courtroom Manager