

ORIGINAL SEALED
BY ORDER OF THE COURT

FLORENCE T. NAKAKUNI #2286
United States Attorney
District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

BEVERLY WEE SAMESHIMA #2556
Chief, Organized Crime and
Narcotics Section

JUN 24 2010
at 3 o'clock and 53 min. P.M. eps
SUE BEITIA, CLERK

MICHAEL K. KAWAHARA #1460
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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ROGER CUSICK CHRISTIE, (01))
SHERRYANNE L. ST. CYR, (02))
SUSANNE LENORE FRIEND, (03))
TIMOTHY M. MANN, (04))
RICHARD BRUCE TURPEN, (05))
WESLEY MARK SUDBURY, (06))
DONALD JAMES GIBSON, (07))
ROLAND GREGORY IGNACIO, (08))
PERRY EMILIO POLICICCHIO, (09))
JOHN DEBAPTIST BOUEY, III, (10))
MICHAEL B. SHAPIRO, (11))
also known as "Dewey",)
AARON GEORGE ZEEMAN, (12))
VICTORIA C. FIORE, (13))
JESSICA R. WALSH, also (14))
known as "Jessica Hackman,)
)
Defendants.)
)

CR 10-00384 SOM

CR. NO. _____
INDICTMENT
[21 U.S.C. 846, 841(a)(1)]

INDICTMENT

Count 1:

The Grand Jury charges that:

From a time unknown up through and including on or about March 10, 2010 in the District of Hawaii, defendants:

ROGER CUSICK CHRISTIE (hereinafter "Christie"),
SHERRYANNE L. ST. CYR (hereinafter "St. Cyr"),
SUSANNE LENORE FRIEND (hereinafter "Friend"),
TIMOTHY M. MANN (hereinafter "Mann"),
RICHARD BRUCE TURPEN (hereinafter "Turpen"),
WESLEY MARK SUDBURY (hereinafter "Sudbury"),
DONALD JAMES GIBSON (hereinafter "Gibson"),
ROLAND GREGORY IGNACIO (hereinafter "Ignacio"),
PERRY EMILIO POLICICCHIO (hereinafter "Policicchio"),
JOHN DEBAPTIST BOUEY, III (hereinafter "Bouey"),
MICHAEL B. SHAPIRO, also known as "Dewey" (hereinafter
"Shapiro"),
AARON GEORGE ZEEMAN (hereinafter "Zeeman"),
VICTORIA C. FIORE (hereinafter "Fiore"),
JESSICA R. WALSH, also known as "Jessica Hackman"
(hereinafter "Walsh"),

and others known and unknown to the grand jury, knowingly and intentionally conspired to manufacture, to distribute, and to possess with intent to distribute marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, as well as harvested and processed marijuana and other products containing marijuana (including but not limited to food items, tinctures, and oils), a violation of Title 21, United States Code, Section 841(a)(1).

Ways and Means:

Conducting his operation as the "THC Ministry" or "Hawaii Cannabis Ministry" (hereinafter "Ministry") located in Hilo,

Hawaii, Christie, with the assistance of St. Cyr, engaged in the illegal manufacture, distribution, and sale of marijuana.

Christie and St. Cyr had several employees (as Fiore and Walsh) who worked at the Ministry's business premises and assisted in the distribution and sale of marijuana.

In order to obtain his marijuana sales inventory, Christie had several suppliers, as well as other persons growing marijuana for him, on the Island of Hawaii. During 2009, Christie's marijuana suppliers and other persons growing marijuana for him included Turpen, Sudbury, Gibson, Ignacio, Policicchio, Bouey, Shapiro, and Zeeman.

Sometime in 2009, Christie also recruited Friend and Mann to start up a marijuana cultivation operation for the Ministry on the Island of Hawaii; the plan was for all of Friend and Mann's harvested marijuana to be provided to the Ministry. As of July 22, 2009, Friend and Mann had approximately 284 marijuana plants under cultivation.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

Count 2:

The Grand Jury further charges that:

On or about July 22, 2009 in the District of Hawaii,
defendants:

ROGER CUSICK CHRISTIE,
SHERRYANNE L. ST. CYR,
SUSANNE LENORE FRIEND,
TIMOTHY M. MANN,
RICHARD BRUCE TURPEN,
WESLEY MARK SUDBURY,
DONALD JAMES GIBSON,
ROLAND GREGORY IGNACIO,
PERRY EMILIO POLICICCHIO,
JOHN DEBAPTIST BOUEY, III,
MICHAEL B. SHAPIRO,
AARON GEORGE ZEEMAN,
VICTORIA C. FIORE,
JESSICA R. WALSH,

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 284 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count 3:

The Grand Jury further charges that:

On or about July 22, 2009 in the District of Hawaii,
defendants:

ROGER CUSICK CHRISTIE,
SHERRYANNE L. ST. CYR,
SUSANNE LENORE FRIEND,
TIMOTHY M. MANN,
RICHARD BRUCE TURPEN,
WESLEY MARK SUDBURY,
DONALD JAMES GIBSON,

ROLAND GREGORY IGNACIO,
PERRY EMILIO POLICICCHIO,
JOHN DEBAPTIST BOUEY, III,
MICHAEL B. SHAPIRO,
AARON GEORGE ZEEMAN,
VICTORIA C. FIORE,
JESSICA R. WALSH,

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 284 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count 4:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

RICHARD BRUCE TURPEN

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving one-thousand (1,000) or more marijuana plants, to wit: approximately 1,108 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

Count 5:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

RICHARD BRUCE TURPEN

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving one-thousand (1,000) or more marijuana plants, to wit: approximately 1,108 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (A).

Count 6:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

WESLEY MARK SUDBURY

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 856 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (B).

Count 7:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

WESLEY MARK SUDBURY

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 856 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (B).

Count 8:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

DONALD JAMES GIBSON

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 152 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (B).

Count 9:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

DONALD JAMES GIBSON

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving one-hundred (100) or more marijuana plants, to wit: approximately 152 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (B).

Count 10:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

ROLAND GREGORY IGNACIO

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving fifty (50) or more marijuana plants, to wit: approximately 80 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (C).

Count 11:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

ROLAND GREGORY IGNACIO

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving fifty (50) or more marijuana plants, to wit: approximately 80 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (C).

Count 12:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

PERRY EMILIO POLICICCHIO

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, said offense involving fifty (50) or more marijuana plants, to wit: approximately 72 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (C).

Count 13:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

PERRY EMILIO POLICICCHIO

knowingly and intentionally possessed with intent to distribute marijuana, a Schedule I controlled substance, said offense involving fifty (50) or more marijuana plants, to wit: approximately 72 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (C).

Count 14:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

JOHN DEBAPTIST BOUEY, III

knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, to wit: approximately 26 marijuana plants,

All in violation of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (D).

Count 15:

The Grand Jury further charges that:

On or about March 10, 2010 in the District of Hawaii,
defendant:

MICHAEL B. SHAPIRO, also known as "Dewey"
knowingly and intentionally manufactured marijuana, a Schedule I
controlled substance, to wit: approximately 2 marijuana plants,
All in violation of Title 21, United States Code, Sections
841(a)(1) and 841(b)(1)(D).

FORFEITURE ALLEGATION:

1. The allegations contained in Counts 1, 4, 5, 10, 11, 12,
and 13 of this Indictment are hereby realleged and incorporated
herein by reference for the purpose of alleging forfeitures
pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853,
upon conviction of the controlled substance offenses alleged in
said Counts 1, 4, 5, 10, 11, 12, and 13, defendants:

**ROGER CUSICK CHRISTIE
SHERRYANNE L. ST. CYR
RICHARD BRUCE TURPEN
ROLAND GREGORY IGNACIO
PERRY EMILIO POLICICCHIO**

shall forfeit to the United States pursuant to 21 U.S.C. 853, any
property constituting, or derived from, proceeds obtained,
directly or indirectly, as a result of the said violations and
any property used, or intended to be used, in any manner or part,
to commit, or to facilitate the commission of the said

violations, including but not limited to the following:

(A) As to Christie and St. Cyr:

(1) Approximately \$21,494.00 in U.S. currency, which is presently in the possession of the United States;

(2) The real property known as Apartment #312, Building A, 360 Kauila Street, Hilo, HI, titled in the name of Roger Christie, unmarried, and designated as Tax Map Key Number 3-2-6-5-10-42, together with all appurtenances and improvements, and more specifically described in Exhibit "A", attached hereto and incorporated herein by reference.

(B) As to Turpen:

(1) The real property (3.0 acres) known as 16-2108 Opeapea Road, Keaau, HI, titled in the names of Richard Bruce Turpen (unmarried) and Ruth Mary Turpen (widow) as joint tenants, and designated as Tax Map Key Number 3-1-6-43-22, together with all appurtenances and improvements, and more specifically described in Exhibit "B", attached hereto and incorporated herein by reference.

(C) As to Policicchio:

(1) The real property (10,004 square feet) known as 141 Kaikuono Place, Hilo, HI, titled in the name of Perry E. Policicchio, Trustee of the Perry E. Policicchio Trust (with Perry Emilio Policicchio being both the primary trustee and the primary beneficiary), and designated as Tax Map Key Number 3-2-5-

29-40, together with all appurtenances and improvements, and more specifically described in Exhibit "C", attached hereto and incorporated herein by reference.

(D) As to Ignacio:

(1) The real property (2.0 acres) known as 11-1210 Rose Street, Mountain View, HI, titled in the names of Roland Gregory Ignacio and Rebecca Wailele O Akaka Ignacio (husband and wife) as tenants by the entirety, and designated as Tax Map Key Number 3-1-1-39-3, together with all appurtenances and improvements, and more specifically described in Exhibit "D", attached hereto and incorporated herein by reference.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) Cannot be located upon the exercise of due diligence;

(b) Has been transferred or sold to, or deposited with, a third party;

(c) Has been placed beyond the jurisdiction of the court;

(d) Has been substantially diminished in value; or

(e) Has been commingled with other property which cannot be divided without difficulty;

It is the intent of the United States, pursuant to 21 U.S.C. 853(p), to seek forfeiture of any other property of said

defendants up to the value of the forfeitable property described above,

All in accordance with Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.

DATED: Honolulu, Hawaii, June 24, 2010.


/s/ Foreperson

GRAND JURY FOREPERSON

FLORENCE T. NAKAKUNI
United States Attorney

By 

BEVERLEY WEE SAMESHIMA
Assistant U.S. Attorney



MICHAEL K. KAWAHARA
Assistant U.S. Attorney

USA v. Christie, et. al., USDC-Hawaii, Indictment.

-FIRST:-

Dwelling No. 312 in Building A of the Condominium Project known as "WAINAKU TERRACE" (formerly known as "COCONUT CREEK"), as described in the Restated Declaration of Condominium Property Regime dated March 5, 1999, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 99-046534, of which the original Declaration dated February 26, 1973, is recorded in the Bureau of Conveyances of the State of Hawaii in Liber 9064 at Page 1, and as shown on Condominium Map No. 268 and any amendments thereto.

Together with appurtenant easements as follows:

- (A) An exclusive easement to use the Parking Stall(s), if any, as shown in said Declaration, as amended.
- (B) Nonexclusive easements in the common elements designed for such purposes for ingress to, egress from, utility services for and support of said Dwelling; in the other common elements for use according to their respective purposes, subject always to the exclusive or limited use of the limited common elements as provided in said Declaration; and in all other dwellings of the Project for support.

-SECOND:-

An undivided $1/42$ fractional interest in all common elements of the Project as established for said dwelling by the Declaration, or such other fractional or percentage interest as hereinafter established for said dwelling by any amendment of said Declaration, as tenant in common with the other owners from time to time of other undivided interests in the common elements, said common elements to include the land described herein.

The land upon which said Condominium Project "WAINAKU TERRACE" (formerly known as "COCONUT CREEK") is located is described as follows:

EXHIBIT A

All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 4666, Land Commission Award 4659, Apana 2 to Papa and a portion of Deed of the Commissioner of Crown Lands to Thomas Spencer, dated August 3, 1870) situate, lying and being at Puueo, South Hilo, Island and County of Hawaii, State of Hawaii, and containing an area of 42,000 square feet, more or less.

Said parcel of land being more particularly described in the Restated Declaration of Condominium Property Regime dated March 5, 1999, recorded in said Bureau of Conveyances as Document No. 99-046534, of which the original Declaration dated February 26, 1973, recorded in said Bureau of Conveyances in Liber 9064 at Page 1.

Said above described premises having been acquired by ROGER CHRISTIE, unmarried, as Tenant in Severalty, as follows:

1. By LIMITED WARRANTY APARTMENT DEED; EXHIBITS A; 1 of DORIS C. GRAY, wife of Raymond A. Gray, dated April 19, 2005, recorded as Document No. 2005-091461; and
2. By WARRANTY DEED of DORIS CHRISTIE GRAY, wife of Raymond Albert Gray, dated February 27, 2007, recorded as Document No. 2007-082140.

That certain parcel of land situate at Keaau, Puna, Island and County of Hawaii, State of Hawaii, described as follows:

Lot 4653, area 3.000 acres, more or less; and an undivided 1/3944th interest in Lot 6213, roadway, area 352.017 acres, more or less, to be used in common with others entitled thereto for roadway and utility purposes only; as shown on Map 49, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053 (amended) of W. H. Shipman, Limited.

Being all of the land described in Transfer Certificate of Title No. 602,077!

SUBJECT, HOWEVER, TO:

Title to all minerals and metallic mines reserved to the State of Hawaii.

EXHIBIT B

All of that certain parcel of land (being portion of the land(s) described in and covered by Land Patent Grant Number 5122 to Eugene H. Lyman) situate, lying and being at Ponahawai, South Hilo, Island and County of Hawaii, State of Hawaii, being LOT 4, of the "VICTORINE SUBDIVISION", and thus bounded and described:

Beginning at a pipe at the north corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HALAI" being 5,071.22 feet South and 6,355.82 feet west and running by azimuths measured clockwise from true South:

1. 307° 40' 67.29 feet along Parcel 3 to a spike;
2. 35° 48' 50" 57.39 feet to a pipe;
3. 81° 52' 135.85 feet along Lot 5, Victorine Subdivision, to a pipe; thence following along Kaikuono Place on a curve to the left with a radius of 45.00 feet, the chord azimuth and distance being:
4. 177° 56' 35" 35.00 feet to a pipe;
5. 238° 13' 20" 136.53 feet along Lot 3, Victorine Subdivision, to the point of beginning and containing an area of 10,004 square feet, more or less.

EXHIBIT C

All of that certain parcel of land situate at Keaau, District of Puna, Island and County of Hawaii, State of Hawaii, described as follows:

LOT 6551, area 2.000 acres, more or less, as shown on **MAP 51**, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with **Land Court Application No. 1053** (amended) of W. H. Shipman, Limited.

TOGETHER WITH an undivided 1/2000th interest in Lot 8207, (a 50 foot roadway), said roadway to be used in common with others entitled thereto,

Being all the property conveyed by the following:

Instrument:	Quitclaim Deed
Grantor:	MARIAN H. ORSER, unmarried, as trustee of the Orser Family Living Trust
Grantee:	MARJORIE JOSEPHINE ORSER, unmarried, as Tenant in Severalty
Dated:	May 13, 2005
Recorded:	July 1, 2005, in the Office of the Assistant Registrar of the Land Court of the State of Hawaii, Document No. 3289985 .

Being all of the property described in and covered by **Transfer Certificate of Title No. 756,125**.

Tax Map Key 3rd 1-1-039-003

Subject, however, to the following:

As to the undivided interest in Lot 8207:

- A. DECLARATORY JUDGMENT dated and filed in the Circuit Court of the Third Circuit, State of Hawaii, Civil No. 9870, on March 6, 1987; FERN ACRES COMMUNITY ASSOCIATION, as Hawaii non-profit corporation, "Plaintiff" (Attorney – Stuart H. Oda), vs. Pan American Land Co., et al, "Defendant"; re: Plaintiff is entitled to collect road maintenance fees, and assess all property owners within the Fern Acres Subdivision holding an undivided interest in and to roadway Lots 8207, 8208, 8209, 8210, 8211, 8212 and 8213, as shown on Map 51, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053 (Not noted on Transfer Certificate of Title referred to herein).
- B. Rights of others who own undivided interest(s) or have easement or access rights, in said parcel.

All of that certain parcel of land situate at Keaau, District of Puna, Island and County of Hawaii, State of Hawaii, described as follows:

Lot 6552, area 2,000 acres, more or less, and an undivided 1/2000th interest in Roadway Lot 8207 (a 50 foot roadway) area 146.582 acres, more or less, to be used in common with others entitled thereto, as shown on Map 51, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053 (amended) of W. H. Shipman, Limited.

Being all the property conveyed by the following:

Warranty Deed

Grantor: Dorothy Ann Cashero, unmarried
Grantee: Andrey Georgiyevich Kuznetsov and Marina Dmitriyevna Kuznetsov, husband and wife, as Tenants by the Entirety
Dated: May 13, 2005
Recorded: May 24, 2005, in the Office of the Assistant Registrar of the Land Court of the State of Hawaii, Document No. 3272192.

Being all of the property described in and covered by Transfer Certificate or Title No. 749,828.

SUBJECT, HOWEVER, TO:

Declaratory Judgment dated and filed in the Circuit Court of the Third Circuit, State of Hawaii, Civil No. 9870, on March 6, 1987; Fern Acres Community Association, a Hawaii non-profit corporation, "Plaintiff" (Attorney - Stuart H. Oda), vs. Pan American Land Co., et al, "Defendant"; re: Plaintiff is entitled to collect road maintenance fees and assess all property owners within the Fern Acres Subdivision holding an undivided interest in and to roadway containing an area of 146.582 acres, as shown on Map 51, filed in the Office or the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1053. (Not noted on Transfer Certificate of Title referred to herein).

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application) Application No. 1053
)
 of)
)
 W. H. SHIPMAN, LIMITED, a Hawaii)
 corporation,)
)
 To consolidate land situate at Keaaau, District)
 of Puna, Island, County and State)
 of Hawaii.)

LAND COURT
 STATE OF HAWAII
 FILED
 2008 MAR 13 PM 12:47
 KATHLEEN HANAWAHINE
 REGISTRAR

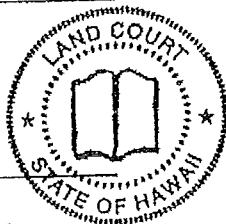
CONSOLIDATION OF LOTS 6551 and 6552
AS SHOWN ON MAP 51
AND RESUBDIVISION OF SAID CONSOLIDATION
INTO LOTS ~~6551-A AND 6551-B~~ 9752 and 9753 *HL*
KEAAU, PUNA, ISLAND OF HAWAII, HAWAII

Referred to the Surveyor of the State for check and report.
 Map filed MAR 13 2008
 and Land Court Certificate of Title No. _____
 transmitted herewith.

DATED: MAR 13 2008

Order of the Court:

KATHLEEN HANAWAHINE



REGISTRAR

3 Whiteprints required

PETER K. KUBOTA
 505 Kilauea Avenue
 Hilo, Hawaii 96720
 Telephone No. (808) 935-2422

Attorney for Petitioners
 Roland Gregory Ignacio and
 Rebecca Wailele O Akaka Ignacio

A TRUE COPY, ATTEST WITH
 THE SEAL OF SAID COURT.

JANNIS SHIROMA
 Clerk

EXHIBIT D
 Page 3 of 11 Pages

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application)	Application No. 1053(Amended)
)	
of)	
)	
W. H. SHIPMAN, LIMITED,)	
)	
To consolidate land situate at Keaau, District)	
of Puna, Island, County and State)	
of Hawaii.)	

CONSOLIDATION OF LOTS 6551 and 6552
AS SHOWN ON MAP 51
AND RESUBDIVISION OF SAID CONSOLIDATION
INTO LOTS ~~6551-A AND 6551-B~~ 9752 and 9753 *AK*
KEAAU, PUNA, ISLAND OF HAWAII, HAWAII

Come now ROLAND GREGORY IGNACIO and REBECCA WAILELE O AKAKA IGNACIO, Petitioners herein, whose mailing address is 111 East Puainako Street, #585, PMB 184, Hilo, Hawaii 96720, and state as follows:

/ 1. Petitioners are the owners in fee simple of those certain parcels of land situate at Keaau, District of Puna, Island, County and State of Hawaii, as described as follows:

/ Lot 6551, area 2.000 acres, as shown on Map 51, Land Court Application No. 1053(amended), being the land described in Transfer Certificate of Title No. 850,020, and

/ Lot 6552, area 2.000 acres, as shown on Map 51, Land Court Application No. 1053 (amended), being the land described in Transfer Certificate of Title No. 850,058. ;

/ 2. Petitioners have applied for and obtained approval from the County of Hawaii for consolidation and resubdivision of the subject properties into 2 separate lots known as

~~At~~ Lot ⁹⁷⁵²~~6551-A~~, consisting of 2.000 acres, and Lot ⁹⁷⁵³~~6551-B~~, consisting of 2.000 acres, in accordance with a letter of final approval from the County of Hawaii Planning Department through its Planning Director.

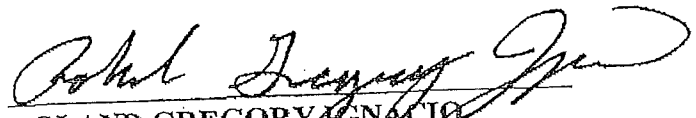
~~At~~ / 3. Access. New Lots ^{9752 and 9753}~~6551-A and 6551-B~~ have access to State Highway No.11, also known as the Hawaii Belt Road or Volcano Road, by way of an undivided 1/2000th interest, as to each lot, in Roadway Lot 8207 (a 50 foot roadway), as shown on Map 51 of Land Court Application No. 1053 (amended) of W. H. Shipman, Limited, to be used in common with others entitled thereto, for roadway and utility purposes only, which road provides access from ~~At~~ Lots ^{9752 and 9753}~~6551-A and 6551-B~~ to the highway.

/ 4. The Petitioners hereby submit an original and three (3) copies of this Petition.

WHEREFORE, Petitioners respectfully request that:

1. That the map filed herewith showing the consolidation and resubdivision of said Tax Map Key parcels (3) 1-1-039:002 (Lot 6552), and (3) 1-1-039:003 (Lot 6551) into 2 new ~~At~~ lots known as Lot ^{9752 and 9753}~~6551-A and 6551-B~~, be examined and found correct; and
2. That an order issue: approving and authorizing this consolidation and resubdivision, and directing the Assistant Registrar of this Court to endorse on said Certificates of Title(s) a reference to the map in accordance with Section 501-85, Hawaii Revised Statutes; and ~~At~~ issuing a new Certificate of Title to the newly consolidated lots known as Lot ^{9752 and 9753}~~6551-A and 6551-B~~.

Dated: Hilo, Hawaii, 212108


ROLAND GREGORY IGNACIO

Rebecca Wailele O Akara Ignacio

REBECCA WAILELE O AKARA
IGNACIO

PETITIONER

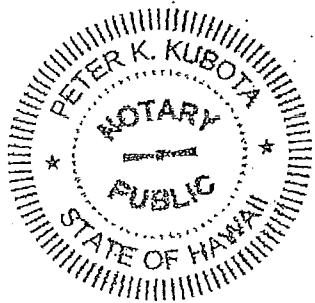
- 3 -

EXHIBIT D

Page 6 of 11 Pages

STATE OF HAWAII)
)
COUNTY OF HAWAII) SS:

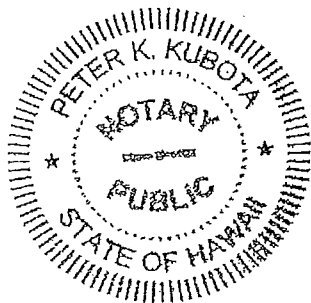
On February 21, 2008, before me personally appeared **ROLAND GREGORY IGNACIO**, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown having been duly authorized to execute such instrument in such capacity.



[Signature]
Name: PETER KUBOTA
Notary Public, State of Hawaii
My commission expires: 4/17/2009

STATE OF HAWAII)
)
COUNTY OF HAWAII) SS:

On February 21, 2008, before me personally appeared **REBECCA WAILELE O AKAKA IGNACIO**, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown having been duly authorized to execute such instrument in such capacity.



[Signature]
Name: PETER KUBOTA
Notary Public
My commission expires: 4/17/2009

35100
DSC1
C 7



L-478 STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR
RECORDED
MAY 13, 2008 09:00 AM
L.C. Order No(s) 174863
on Cert(s) 850,020 & 850,058
Issuance of Cert(s) 907,735



20 1/1 Z7

Isi CARL T. WATANABE
ASSISTANT REGISTRAR

Reserved for Recording Information

After recording, return by mail or pick-up

Peter K. Kubota
505 Kilauea Avenue
Hilo, Hawaii 96720

Document contains _____ pages

IN THE LAND COURT OF THE STATE OF HAWAII

In the matter of the application

Of

W.H. SHIPMAN, LIMITED

to register and confirm title to lands
situate at Keaau, Puna, Island of Hawaii, State of
Hawaii

SUBDIVISION

of

Application No. 1053
(Map 619)

KATHLEEN HANAWAHINE
REGISTRAR

2008 MAY -1 PM 3:26

LAND COURT
STATE OF HAWAII
FILED

Petition of ROLAND GREGORY IGNACIO AND REBECCA WAILELE O AKAKA IGNACIO,
Owners, consolidation of Lots 6551 and 6552 as shown on Map 51 and resubdivision of said
consolidation into Lots 9752 and 9753

ORDER OF SUBDIVISION

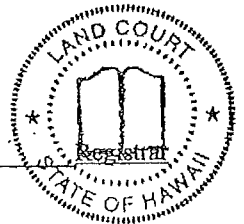
Upon the record and the evidence herein, and the map or plan filed with the application for subdivision in this
matter having been referred to the Surveyor of the State of Hawaii, and he having examined and checked the same and
certified the same to be correct, Copy of said petition and the Return of the Surveyor by reference made a part hereof,

IT IS ORDERED, ADJUDGED AND DECREED, that the said subdivision, as certified by the Surveyor of
the State of Hawaii, is hereby authorized and approved, and the Assistant Registrar of this court is hereby directed to
endorse on Owner's Certificate of Title No. 850,020 and 850,058
a reference to said map or plan as approved, and, upon presentation to him of proper deeds of transfer, to issue a new
certificate, or certificates, for the lots conveyed, and enter same on said Owner's Certificate of Title No. 850,020 and
850,058, in accordance with Hawaii Revised Statutes, Section 501-89 and 501-109.

Dated: Honolulu, Hawaii, MAY 1 - 2008

KATHLEEN HANAWAHINE

for Judge of the Land Court



A TRUE COPY, ATTEST WITH
THE SEAL OF SAID COURT

JANNIS SHIROMA
Clerk

EXHIBIT D
Page 9 of 11 Pages

IN THE LAND COURT OF THE STATE OF HAWAII

In the Matter of the Application)
)
W. H. SHIPMAN, LIMITED)
)
to register and confirm title situate at)
Keaau, Puna, Island of Hawaii, State of)
Hawaii)
_____)

SUBDIVISION
of
Application 1053
(Map 619)

KATHLEEN HANAWAHI
REGISTRAR

2008 MAY - 1 PM 2:58

LAND COURT
STATE OF HAWAII
FILED

Petition of ROLAND GREGORY IGNACIO AND REBECCA WAILELE O AKAKA
IGNACIO, Owners, consolidation of Lots 6551 and 6552 as shown on Map 51 and
resubdivision of said consolidation into Lots 9752 and 9753

RETURN OF THE STATE LAND SURVEYOR

To the Honorable Judge of the Land Court,
State of Hawaii

Pursuant to an Order duly made and issued out of said Honorable Court on the
13th day of March 2008, referring the map filed for approval of subdivision in the above
entitled matter, to the State Land Surveyor for verification, check on the ground if
necessary and report.

The undersigned, the State Land Surveyor begs to report that the same has been
examined and checked as to form and mathematical correctness and found to be in order.

And further, that said map has been compared with Transfer Certificates of Title
850,020 and 850,058 found to be in accord therewith.

Ld.Ct.App. 1053 (Map 619)
Return of the State Land Surveyor
Page 2

NOTE:

Allegations in the petition have been checked and found to be in accord therewith except for the following:

1. Lots 6551-A and 6551-B have been changed to Lots 9752 and 9753, respectively.

Only encumbrances as noted in the petition have been checked.

APPROVED by the Hawaii County Planning Department on October 23, 2007.

And pending approval of the Court, the map and said Transfer Certificates of Title will be held for further instructions.

DATED at Honolulu, this 1st day of May, 2008.

Examined by:

Ronald S.K. Sumida
Assistant.
lk

[Signature]
STATE LAND SURVEYOR

=====

Received from the State Land Surveyor _____ whiteprints of, and the approved tracing map in the above entitled matter and Transfer Certificates of Title No.

Honolulu, Hawaii
MAY 1 - 2008, 2008

AMY T. CORCORAN
CLERK OF THE LAND COURT.