

ORIGINAL

CRJ01-3758

MARGERY S. BRONSTER 4750
Attorney General of Hawaii

DWIGHT K. NADAMOTO 2756
Deputy Attorney General
Department of the Attorney
General, State of Hawaii
425 Queen Street, Third Floor
Honolulu, Hawaii 96813
Telephone: (808) 586-1160

Attorneys for the State of Hawaii

Indictment Presented
and Filed at

3 08 P.M. DEC 17 1997

Clara J. [Signature] Clerk
FIRST CIRCUIT COURT, STATE OF HAWAII

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII

vs.

CAROL SIMAFRANCA, MICHAEL
SIMAFRANCA, DONALD A.
LEWIS and DAVID KEANU SAI,

Defendants.

CR. NO. 97-3082

COUNT I:

ATTEMPTED THEFT IN THE FIRST
DEGREE

(§§ 705-500 and 708-830.5,
H.R.S.)

COUNT II:

BURGLARY IN THE FIRST DEGREE
(§§ 708-810(c), H.R.S.)

INDICTMENT

INDICTMENT

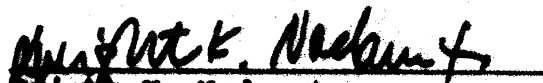
THE GRAND JURY CHARGES:


COUNT I: On or about the 16th day of July 1996 to and including the 10th day of April 1997, in the City and County of Honolulu, State of Hawaii, CAROL SIMAFRANCA, MICHAEL SIMAFRANCA, DONALD A. LEWIS and DAVID KEANU SAI, did intentionally engage in conduct which, under the circumstances as they believed them to be, constituted a substantial step in

a course of conduct intended to culminate in the commission of the crime of Theft in the First Degree, by attempting to obtain or exert unauthorized control over the property of Craig Uyehara and Sandra Uyehara, the value of which exceeds Twenty Thousand Dollars (\$20,000), with the intent to deprive Craig Uyehara and Sandra Uyehara of the property, thereby committing the offense of Attempted Theft in the First Degree in violation of Sections 705-500 and 708-830.5 of the Hawaii Revised Statutes.

COUNT II: On or about the 10th day of January 1997, in the City and County of Honolulu, State of Hawaii, CAROL SIMAFRANCA and MICHAEL SIMAFRANCA did intentionally enter or remain in a building, to wit, the residence of Craig Uyehara and Sandra Uyehara, situated at 98-2041 Kikala Street, with the intent to commit therein a crime against a person or property rights and did recklessly disregard the risk that the building was the dwelling of another and the building is such a dwelling, thereby committing the offense of Burglary in the First Degree in violation of Section 708-810(1)(c), Hawaii Revised Statutes.

DATED: Honolulu, Hawaii, December 17, 1997.


Dwight K. Nadamoto
Deputy Attorney General
State of Hawaii


Foreperson of the Grand Jury