

ANNE E. LOPEZ 7609
Attorney General for the State of Hawai'i
AMANDA J. WESTON 7496
DAVID N. MATSUMIYA 9640
Deputy Attorneys General
Department of the Attorney General,
State of Hawai'i
425 Queen Street
Honolulu, Hawai'i 96813
Telephone: (808) 586-1300
Facsimile: (808) 586-8115
E-mail: amanda.j.weston@hawaii.gov
david.n.matsumiya@hawaii.gov

Attorneys for Defendant
STATE OF HAWAI'I

Electronically Filed
FIRST CIRCUIT
1CC191001419
19-DEC-2025
10:27 PM
Dkt. 551 EXH

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAI'I

JOHN ROE NO. 121,

Plaintiff,

vs.

STATE OF HAWAI'I; JOHN A. TEIXEIRA;
JOHN DOES 1-10; DOE CORPORATIONS
1-10; DOE PARTNERSHIPS 1-10; DOE
NON-PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.: 1CC191001419
(Other Non-Motor Vehicle Tort)

JOINT TRIAL EXHIBIT 13

Judge: Honorable Kevin T. Morikone
Trial: April 22, 2024

FAMILY COURT
FIRST CIRCUIT COURT
STATE OF HAWAII

MARGERY S. BRONSTER 4750
Attorney General

MARY ANNE MAGNIER 3451
Deputy Attorney General
Department of the Attorney
General, State of Hawaii
465 South King Street, B-2
Honolulu, Hawaii 96813
Telephone: 587-2969

1995 SEP 28 AM 11: 32

FILED J. WATANABE
CLERK

Attorneys for Petitioner

IN THE FAMILY COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

In the Interest of

M [REDACTED] CHILDREN:

A [REDACTED]
Born on [REDACTED];

T [REDACTED], Jr.,
Born on [REDACTED].

FC-S No. 95-04111

PETITION FOR FAMILY
SUPERVISION

PETITION FOR FAMILY SUPERVISION

Mother's Name/Address

B [REDACTED] M [REDACTED]
Address Unknown
Island of Oahu
DOB: [REDACTED]
SSN: [REDACTED]

Children's Address

Unknown; with Mother

Alleged Natural Father's Name/Address

T [REDACTED] M [REDACTED]
Address Unknown
DOB: [REDACTED]
SSN: [REDACTED]

Other's Name/Address/Relationship

W [REDACTED] F [REDACTED], Mother's Boyfriend
[REDACTED]

DOB: [REDACTED]
SSN: [REDACTED]

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

J. Watanabe
Clerk, Family Court, First Circuit, State of Hawaii

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

SOH 002268

COMES NOW the Petitioner, a duly appointed social worker of the Department of Human Services ("DHS"), and hereby declares, under penalty of perjury, that the statements made herein are true and correct to the best of Petitioner's knowledge, information and belief.

1. The above-named children come within the provisions of Sections 571-11(9), 587-11, and 587-2, Hawaii Revised Statutes ("HRS").

2. The children were found within the State of Hawaii at the time the following facts and circumstances (which have caused the children's physical or psychological health or welfare to be harmed or subject to threatened harm by the acts or omissions of the children's family) occurred, were discovered, or were reported to the DHS:

a. THREATENED HARM

There is a reasonable foreseeable substantial risk that harm may occur to the children based upon an assessment of the criteria set forth in HRS 587-25, including but not limited to the following facts:

CHILDREN'S VULNERABILITY

1. Until September 23, 1995, A [REDACTED] M [REDACTED] (7) and T [REDACTED] M [REDACTED], JR. (5 1/2) lived with Mother, W [REDACTED] F [REDACTED] (48) ("Boyfriend"), maternal aunt B [REDACTED] C [REDACTED] and her two children, one sibling, and three half-siblings ranging in ages between 22 months and 12 years. The home is Boyfriend's.

2. On September 25, 1995, when half-sibling F [REDACTED] (22 months old) was discharged from Kapiolani Medical Center where he was admitted two days before because Mother struck him on the forehead with a hammer and caused a concussion, K [REDACTED] was taken into police protective custody, released to DHS, and placed in an emergency shelter, due to Mother's physical abuse, drug abuse, and absence.

3. Mother's whereabouts are unknown: she, the children, and three of her other children are reportedly staying with an "Aunt M [REDACTED]," whose surname, Kalihi address and telephone

number are unknown to Petitioner, Boyfriend, and other available relatives.

4. The children have had no recent contact with T [REDACTED] M [REDACTED] (49) ("Father"), whose whereabouts are unknown to DHS.

PARENTAL PROBLEMS

5. DHS intervened in 1988 to address physical abuse of half-brother B [REDACTED] R [REDACTED], threatened harm to him and sibling C [REDACTED] M [REDACTED] (8), and domestic violence between Mother and Father. Mother participated in parenting and anger management classes and the Salvation Army Addiction Treatment Facility's substance abuse program, and the cases were closed in January 1990. In April 1990 another report was made to DHS, of Mother's drug use and child abuse and neglect, but there is no record that Mother was referred to or participated in any services.

6. Boyfriend sees a psychiatrist for [REDACTED] and [REDACTED] and states he suffers from [REDACTED] due to his Vietnam service. He is prescribed [REDACTED] and [REDACTED].

7. Boyfriend states that Mother uses [REDACTED] about twice a week, and two maternal aunts state that Mother plans to seek help for her drug abuse problem.

8. Boyfriend states that Mother is physically abusive of him and also of her children. Maternal aunt E [REDACTED] C [REDACTED] states that she is afraid of Mother. DHS records reveal a long history of domestic violence, some of it severe, and all the children have been exposed to it. Boyfriend also states he obtained a restraining order against Mother about six months ago but let Mother back into his home because he felt sorry for her.

9. On September 25, 1995, Boyfriend stated that Mother intended to hit him, not K [REDACTED], with the hammer and that it struck K [REDACTED] by accident when she swung the hammer backwards.

10. Boyfriend has taken no action to protect the children from future harm.

11. BEVERLY NAKAMOTO, DHS social worker in a case involving another of Boyfriend's children, states that the family home is filthy and that her efforts to convince Boyfriend to clean it have been unsuccessful.

SUPPORT SYSTEM/SERVICES

12. DHS knows of no Hawaii family members or friends who are willing and able to provide caretaking or other types of support to the children's family but will continue to explore the suitability of family members as placement resources for all the children and his half-siblings.

13. DHS-recommended services include residential substance abuse treatment for Mother, substance abuse assessment and follow-up as recommended for Boyfriend, and, for both parents, psychological evaluations, anger management and treatment, and parenting classes.

b. SIBLINGS


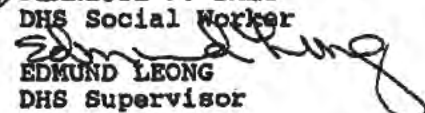
The child's half-siblings are the subject children in Chapter 587 cases: In the Interest of K [REDACTED] F [REDACTED], Born on [REDACTED], FC-S No. 95-04113; In the Interest of F [REDACTED] N [REDACTED] R [REDACTED], Born on [REDACTED], FC-S No. 88-0933; In the Interest of I [REDACTED] R [REDACTED], Born on [REDACTED], FC-S No. 95-04112; In the Interest of C [REDACTED] I [REDACTED] M [REDACTED], Born on [REDACTED], FC-S No. 88-0932. Boyfriend's child by another woman is the subject of a Chapter 587 case: In the Interest of I [REDACTED] R [REDACTED], Born on [REDACTED], FC-S No. 91-02117.

WHEREFORE, it is prayed that an inquiry be made into the foregoing allegations and that action be taken pursuant to the provisions of Chapter 587, HRS, including but not limited to:

Jurisdiction over the children and other appropriate family members be established and such other orders as the Court may deem appropriate be entered.

UNLESS THE FAMILY IS WILLING AND ABLE TO PROVIDE THE CHILDREN WITH A SAFE FAMILY HOME, EVEN WITH THE ASSISTANCE OF A SERVICE PLAN, WITHIN A REASONABLE PERIOD OF TIME, THEIR RESPECTIVE PARENTAL AND CUSTODIAL DUTIES AND RIGHTS SHALL BE SUBJECT TO TERMINATION.

DATED: Honolulu, Hawaii, September 27, 1995.


JEANETTE J. DALY
DHS Social Worker

EDMUND LEONG
DHS Supervisor

[x] Approved as to form by the Department of the Attorney General

Indian Blood: [] Yes [X] No
Indian Child Pursuant to the Indian Child Welfare Act:
[] Yes [X] No

John Roe 121 v. State of Hawai'i, et al.

Civil No.: **1CC191001419**

Defendant's Exhibit: **JT13**

Marked for Identification: _____

Received into Evidence: _____

Clerk, First Circuit Court