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LOCAL RULE 5.2(a)(9)**

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

IN RE PUBLIC FIRST LAW CENTER,

Movant.

MISC. NO. 26-112

[CR. NO. 19-CR-99 DKW-KJM]

DEFENDANT KAULANA FREITAS'
EX PARTE MOTION FOR LEAVE
TO FILE UNDER SEAL
DEFENDANT'S RESPONSE
OBJECTING TO MOTION TO
UNSEAL GOVERNMENT MOTION
AS TO DEFENDANT KAULANA
FREITAS [DKT. 1809] AND
DEFENDANT' FREITAS'
SENTENCING MEMORANDUM
[DKT. 1820]; CERTIFICATE OF
SERVICE

Judge: Hon. DERRICK K. WATSON

DEFENDANT KAULANA FREITAS' EX PARTE MOTION FOR LEAVE TO
FILE UNDER SEAL DEFENDANT'S RESPONSE OBJECTING TO MOTION
TO UNSEAL GOVERNMENT MOTION AS TO DEFENDANT'S KAULANA
FREITAS [DKT. 1809] AND DEFENDANT' FREITAS'S SENTENCING
MEMORANDUM [DKT. 1820]

Defendant Kaulana Freitas, by and through counsel, hereby moves this
Honorable Court to allow him to file under seal his Objection to (“Objection to
Motion to Unseal ”), which was previously filed under seal.

This Motion is made pursuant to Rule 12 of the Federal Rules of Criminal
Procedure and Criminal Local Rule 5.2. Pursuant to this rule, this Motion contains
the factual basis for sealing the requested filing, the applicable standard for sealing
the information, and how that standard has been met.

Here, Mr. Freitas submits a Memorandum in Opposition to Motion to Unseal
Government Motion as to Defendant Kaulana Freitas [Dkt. 1809] and Defendant's
Freitas Sentencing Memorandum [Dkt. 1820]. Given the nature of the request to
unseal matters in the subject motion, Defendant seeks to seal his response to the
Motion to Unseal. The response will discuss matters that are already under seal.
Until such time as the issues are resolved by the court, then discussion and
disclosure is premature and improper.

The applicable standard for sealing medical and treatment information in
criminal cases is when (1) sealing a document serves a compelling interest, (2) that

is substantially likely to be harmed if the document is not sealed, and (3) there are no less restrictive alternatives for protecting the interest.¹

Here, Mr. Freitas meets the standard described above. He has safety concerns for himself and his family. The documents sought to be unsealed were sealed for good reason and followed the Hawaii Local Rules 5.2, which by the nature of the documents relate to protected and sensitive information. This includes matters, but is not limited to matters in the presentence report, privacy information, and matters discussed in the response to the Motion to Unseal. Sealing the documents and response to the objection to the unsealing of these documents serves a compelling interest and there is no less restrictive alternative.

The United States of America, through its attorney, Aislinn Affinito, does not object to the response being filed under seal. Counsel understands that the Public First Law Center neither object nor agree to the response being filed under seal, and that they would need to look at it first.

For the foregoing reason, it is respectfully requested that the Court grant the Motion and seal the Objections to Motion to Unseal.

DATED: Honolulu, Hawai'i, May 4, 2026.

/s/ William C. Bagasol
William Bagasol

¹ *United States v. Doe*, 870 F.3d 991, 998 (9th Cir. 2017).

Attorney for Defendant
KAULANA FREITAS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

IN RE PUBLIC FIRST LAW CENTER,

Movant.

MISC. NO. 26-112

[CR. NO. 19-CR-99 DKW-KJM]

PROPOSED ORDER

Judge: Hon. Chief Judge
DERRICK K. WATSON

PROPOSED ORDER

The Court, for good cause shown, hereby GRANTS Ex Parte Motion for Leave to File under Seal Defendant's Response Objecting to Motion to Unseal Government Motion to Unseal Government Motion as to Defendant Kaulana Freitas [Dkt. 1809] and Defendant Freitas's Sentencing Memorandum [Dkt. 1820]

It is hereby ORDERED that Kaulana Freitas objections to Motion to Unseal be granted.

DATED: Honolulu, Hawai'i, May 4, 2026.

Honorable DERRICK K. WATSON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

In re: PUBLIC FIRST LAW CENTER,	MISC. NO. 26-112
	[CR. NO. 19-CR-99 DKW-KJM]
Movant.	CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that, upon filing, a true and correct copy of the foregoing will
be personally served on the following at their last known addresses:

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DATED: Honolulu, Hawai'i, April 30, 2026.

/s/ William Bagasol
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