

Electronically Filed
THIRD CIRCUIT
3DCW-12-0000722
13-NOV-2012
03:00 PM

IN THE DISTRICT COURT OF THE THIRD CIRCUIT
STATE OF HAWAII
KONA DIVISION

STATE OF HAWAII)	CASE NO. 3DCW-12-0000722
)	REPORT NO(S)/CHARGES(S)
vs.)	C12030504, Harassment, 711-1106
)	
)	
Francesco Sforca)	
)	
)	
)	
Defendant.)	
_____)	

APPLICATION AND AFFIDAVIT IN SUPPORT OF PROBABLE CAUSE DETERMINATION
FOR FURTHER DETENTION; ORDER ON DETERMINATION OF PROBABLE CAUSE FOR
FURTHER DETENTION

Attachment "A"

11-13-2012
OFCR. S. BURKEY

C12030504
HARASSMENT
KN

PROBABLE CAUSE

On 11-13-2012 as approximately 0045 hours, I received a report of a domestic dispute at Kona Islander Inn, room.#235. Upon arrival I was contacted by Hotel Security who stated a male and female were arguing in room #235. The female guest had called the front desk asking for police. I contacted [REDACTED], F-53, who explained Francesco SFORCA, M-48, was visiting from Italy and staying in her room. SFORCA became verbally abusive towards her, and an argument ensued. During the course of the argument SFORCA pushed [REDACTED] out of the room into the hallway with enough force to cause her to fall to the ground, striking the wall. [REDACTED] stated it did not cause pain, but she was alarmed and harassed by SFORCA verbal abuse and physical contact. [REDACTED] explained she was going to receive "bruising" and showed her left shin. [REDACTED] explained "it is not right for a man to push around a woman". SFORCA made spontaneous statement that he was not going to leave the room because he paid for the room. SFORCA stated he accidentally struck [REDACTED] with his bag. SFORCA was advised of his Miranda Warnings which he stated he did not understand his rights. SFORCA is a Italian National and spoke fluent English during preliminary investigation and booking process.

IN THE DISTRICT COURT OF THE THIRD CIRCUIT
SOUTH AND NORTH KONA DIVISION
STATE OF HAWAII

<input checked="" type="checkbox"/> STATE OF HAWAII	<input type="checkbox"/> IN RE	MPR NO. C12030504
VS		APPLICATION AND AFFIDAVIT IN SUPPORT OF
DEFENDANT NAME: Francesco SFORCA		PROBABLE CAUSE DETERMINATION FOR
SSN: XXX-XX- (LAST 4 DIGITS ONLY)		FURTHER DETENTION; ORDER ON DETERMINATION
YEAR OF BIRTH: 1963		OF PROBABLE CAUSE FOR FURTHER DETENTION;
ADDRESS: UNKNOWN		ATTACHMENTS: A
ADDRESS:		

ORDER ON DETERMINATION OF PROBABLE CAUSE FOR FURTHER DETENTION

The Court, having reviewed the Application and Affidavit with Attachment(s), and based only on the facts and circumstances contained, therein, finds and orders as follows:

X.D.K. that probable cause exists and further detention is allowed;

_____ that probable cause does not exist and the above-named person shall be released from custody.

Date: NOV 13 2012

Time: 11:43 A. M.



 Judge of the above-entitled Court

**NOTARY CERTIFICATION TO APPLICATION AND AFFIDAVIT IN SUPPORT OF
PROBABLE CAUSE DETERMINATION FOR FURTHER DETENTION**

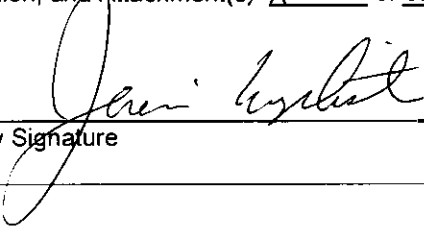
NOTARY CERTIFICATION

Doc. Date: November 13, 2012

No. of Pages: 4
Including Notary Certification

Notary Name: Jeremie Evangelista Third Judicial Circuit

Doc Description: STEVEN BURKEY's Application and Affidavit in Support of
Probable Cause Determination for Further Detention; Order on Determination of Probable Cause for Further
Detention; and Attachment(s) A of State vs. Francesco SFORCA



11-13-2012

LS

Notary Signature

Date