

UNITED STATES OF AMERICA,) CR 17-00101 LEK
)
 Plaintiff,) Honolulu, Hawaii
) October 26, 2020
 vs.)
) SENTENCING
 (1) ANTHONY T. WILLIAMS,)
)
 Defendant.)
)

APPEARANCES:

UNITED STATES DISTRICT COURT

1 APPEARANCES CONTINUED:

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22 Official Court Reporter: Debra Read, RDR
23 United States District Court
300 Ala Moana Boulevard
Honolulu, Hawaii 96850

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25 Proceedings recorded by machine shorthand; transcript
produced with computer-aided transcription (CAT).

1 MONDAY, OCTOBER 26, 2020 1:30 P.M.

2 THE COURTROOM MANAGER: Criminal No. 17-00101 LEK,
3 United States of America versus Defendant(1) Anthony T.
4 Williams.

5 This case has been called for a sentencing as to Counts 1
6 through 32 of the superseding indictment.

7 Counsel, your appearances, please, for the record.

8 MR. YATES: Good afternoon, Your Honor.

9 Gregg Yates and Ken Sorenson for the United States.

10 THE COURT: All right. Good afternoon to both of
11 you.

12 Mr. Isaacson and Mr. Williams.

13 MR. ISAACSON: Your Honor, Lars Isaacson, standby
14 counsel for Mr. Williams, and Mr. Williams is at FDC.

15 THE COURT: And the record --

16 THE DEFENDANT: Private attorney general Anthony T.
17 Williams present.

18 THE COURT: All right. The record will reflect the
19 presence of Mr. Williams.

20 And, Mr. Williams, the record will also reflect that we
21 are all in court for the sentencing proceeding, but you have
22 requested that you be able to participate by video telephone
23 conference; is that correct?

24 THE DEFENDANT: That's correct.

25 THE COURT: So you are consenting to participating

1 in the proceeding by video teleconference; is that correct?

2 THE DEFENDANT: That's correct.

3 THE COURT: Then the court makes the specific
4 findings that pursuant to Section 15002 of the CARES Act, that
5 this proceeding, that is, the sentencing hearing for
6 Mr. Williams, must proceed by video telephone conference; that
7 Mr. Williams is confined at the Federal Detention Honolulu; and
8 if he is brought into court, then he'd have to undergo two
9 weeks of quarantine.

10 In addition, the current coronavirus pandemic may be a
11 threat to health and safety for him to participate in person,
12 and in light of the Chief Judge of the District of Hawaii's
13 General Order extending time for hearings to be held for
14 sentencings and change of plea based on the CARES Act, also his
15 General Order extending the time where we will not be having
16 any jury trials until November 15, 2020; and in light of
17 Governor Ige's recent General Order not permitting interisland
18 and neighbor -- and mainland travel without a 14-day quarantine
19 unless people meet the testing exception, the court finds that
20 Mr. Williams has consented to proceed with the sentencing
21 hearing, and the court finds that it is necessary to hold this
22 hearing by video teleconference for Mr. Williams.

23 Are there any additional findings, Mr. Yates, that you
24 believe the court should make on the record?

25 MR. YATES: No, Your Honor.

1 THE COURT: Okay. Thank you. All right. You may
2 all be seated.

3 So, Mr. Williams, we're here for your sentencing hearing,
4 and I'm going to make certain findings at the hearing. And
5 then I'm going to go through what I believe to be the
6 aggravating and mitigating factors in your case.

7 I'm then going to give an opportunity for the attorneys
8 for the government to put their position on the record what
9 they believe is an appropriate sentence for you. And they also
10 have the opportunity under the law to present any
11 victim/witness testimony.

12 Then I will turn to you and give you an opportunity, as
13 you're representing yourself, as well as you being the
14 defendant, an opportunity to state your position.

15 And then I'll take all of this information and fashion a
16 sentence that is sufficient, but not greater than necessary, to
17 meet the goals of sentencing, which under the law are just
18 punishment for the offenses to which you've been found guilty
19 by the jury to hopefully deter you and others from similar
20 types of conduct in the future, and to give you an opportunity
21 for rehabilitation.

22 So to that end, let me confirm with you and Mr. Isaacson
23 that you both have had a full and fair opportunity to read,
24 review, and discuss the Presentence Investigation Report and
25 the addendum, and to file any legal or factual objections to

1 that report.

2 Have you had this opportunity, Mr. Williams?

3 THE DEFENDANT: To the initial report I have.

4 THE COURT: Correct, the draft Presentence
5 Investigation Report. Did you see the final version of the
6 report?

7 THE DEFENDANT: Uhm, yes, we saw the final version.

8 THE COURT: All right. Very good.

9 Mr. Isaacson, would you agree with that?

10 MR. ISAACSON: Mr. Williams and I have had
11 discussions of the PSR and have had a chance, I believe, to
12 file objections, as we have done.

13 THE COURT: All right. Thank you.

14 So the court has reviewed the Presentence Investigation
15 Report and the addendum, the government's sentencing statement,
16 the defendant's motion for variance and sentencing memorandum,
17 the defendant's sentencing statement that was filed
18 September 21, 2020, defendant's submission of support letters,
19 defendant's second submission of support letters, and
20 defendant's third submission of support letters. So that's
21 what the court's reviewed before this hearing.

22 So the court makes the following findings:

23 That on March 3, 2020, Mr. Williams was found guilty by
24 jury verdict as to Counts 1 through 32 of the Superseding
25 Indictment charging him with Counts 1 through 15 of wire fraud

1 and Counts 16 through 32 of mail fraud.

2 I now place the presentence report in the record under
3 seal. If an appeal is taken, counsel will have access to all
4 of the report.

5 There are co-defendants in this case and they include
6 Mrs. Williams, Ms. Cabebe, and Mr. Malinay.

7 I have received and reviewed letters in support that I
8 have just described.

9 It's my understanding that the government filed
10 objections to the factual findings and none to the application
11 of the guidelines to the facts.

12 Are there any remaining objections that the court needs
13 to address at this time, Mr. Yates?

14 MR. YATES: No, but I'd like to make one thing
15 clear. The Court has just indicated or described Henry Malinay
16 as a co-defendant. He's not technically a co-defendant in
17 17-101. He is a defendant in a separately charged matter.

18 The other thing I'd note, the government did file a late
19 sentencing response to a motion for variance. It's a simple
20 one-issue matter, and that only becomes relevant to the extent
21 that there is some dispute over the application of an
22 adjustment.

23 Otherwise, what Your Honor has said is correct; we have
24 no further -- nothing further to add.

25 THE COURT: All right. Thank you for that

1 clarification.

2 All right. So, Mr. Williams, you have filed a number of
3 objections to the draft presentence report, and as a result, an
4 addendum was prepared to the report. And based on those
5 responses by probation, do you have any remaining objections
6 that you want the court to resolve?

7 THE DEFENDANT: All my objections are on the record.

8 THE COURT: All right. Thank you.

9 So the court notes that in the addendum to the report,
10 Pretrial[sic] has set forth each of the defendant's objections
11 and has provided a response to each of these objections. They
12 are numerous, so I'm not going to go over them individually.
13 There were only 5 or 10 of them, but these do appear in the
14 final presentence report from page 55 through and including
15 page 59.

16 The court has reviewed each of your objections and
17 probation's responses. In some of the cases there have been
18 changes made. For instance, you submitted your true name and
19 that was -- the face sheet was amended. But for the majority
20 of them the response by probation was that it stood by its
21 analysis and it provided a explanation.

22 And so for the record, the court agrees with all of the
23 responses provided by probation and is prepared to adopt the
24 factual findings in the presentence report and overrules those
25 objections by Mr. Williams where probation has not agreed with

1 his objection.

2 I reviewed Mr. Williams's motion for variance and
3 sentencing memorandum. I interpret the sentencing memorandum
4 to be a request to consider specific 3553(a) factors, and I
5 have done so.

6 The court determines that the applicable guidelines are:

7 Total offense level 41;

8 Criminal History Category V;

9 This gives a guidelines range for Counts 1 through and
10 including 32 of 360 to 7,680 months;

11 Supervised release as to each Counts 1 through 32, 1 to
12 3 years;

13 Fine plus cost of imprisonment and supervised release for
14 Counts 1 through 32 each 50,000 to \$250,000;

15 Restitution in the total amount of \$230,527.13; and

16 A mandatory special assessment of \$100 per count, for a
17 total of \$3,200.

18 So these are the factors the court sees in aggravation
19 and in mitigation.

20 In aggravation, turning first to the nature and
21 circumstances of the offenses, your offenses involved taking
22 advantage of homeowners with the promise of helping them with
23 debt relief on their mortgages. Instead, you diverted these
24 payments to yourself and others, and many of your victims were
25 foreclosed upon, or had to declare bankruptcy, or were evicted

1 from their homes, or suffered other damage such as to their
2 credit rating.

3 Some of your victims --

4 THE DEFENDANT: That's incorrect.

5 THE COURT: You'll be given an opportunity to speak,
6 Mr. Williams. This is the court's time to go through the
7 factors it sees.

8 Some of your victims were paying for mortgages that
9 housed extended families, so when they were evicted or
10 foreclosed upon, several families, not just one, remained
11 homeless at that time.

12 In addition, your role in the offense, you were clearly
13 the leader and organizer. You came up with the format, the
14 documents, and sort of the sales pitch with regard to this
15 scheme. You falsely represented that you had official federal
16 authority and that you were a lawyer or had some sort of legal
17 expertise or training in the law and in mortgage lending.

18 Many of your victims were particularly vulnerable because
19 they did not speak English as their first language and were
20 recent immigrants to America. You and others, such as
21 Ms. Cabebe and Mr. Malinay, actively recruited members of the
22 Filipino community here in Honolulu and on the other islands
23 and convinced them that you had official authority.

24 At your direction, various ineffective, but
25 official-looking documents, were filed with the courts and the

1 Bureau of Conveyances. As a result, your victims were told to
2 make monthly payments to you and other entities that you had
3 established, such as MEI, rather than paying their mortgages.
4 You created false and fraudulent documents that purported to be
5 notarized and filed them with the Bureau of Conveyances,
6 thereby undermining our legal system and falsely representing
7 to clients that their prior mortgages were discharged.

8 The overall actual pecuniary loss totals \$230,527.13.
9 The actual loss in restitution owed each victim is set forth in
10 Presentence Report Attachment A.

11 Relevant related conduct includes, in aggravation, in
12 addition to actual loss, there is intended loss because you had
13 your victims execute mortgage notes as well as have your
14 entity, MEI, send checks which were returned for insufficient
15 funds, and MEI cashed some of the checks from the victims.
16 This intended loss is calculated in the presentence report with
17 over a million dollars, \$1,570,489.91.

18 Other aggravating factors include personal
19 characteristics such as your past criminal history. About the
20 same period that you were engaging in these offenses in Hawaii,
21 you were convicted in other jurisdictions for driving without a
22 valid license. This is significant, even though it's a traffic
23 offense, because you attempted to use false credentials as a
24 private attorney general and you were convicted of practicing
25 law without a license. This is the same type of false

1 representations that you made to the victims in Hawaii.

2 Most significantly, you were convicted in 2017 for grand
3 theft, and the facts of that conviction also involved you and
4 your entity, MEI, filing fraudulent mortgage and financing
5 documents in Florida. For that offense and conviction you are
6 currently serving a 15-year sentence of incarceration.

7 Court finds that these factors are in aggravation and
8 show that you tend to reoffend and that your risk of recidivism
9 and harm to our community is large.

10 There are certain factors in mitigation. You are a high
11 school graduate. You served in our armed forces and was
12 honorably discharged. You have the support of family members
13 and friends who have filed letters in your support.

14 Your crimes in this case of which you've been convicted
15 did not involve crimes of violence or drug distribution. You
16 have no recent history of drug addiction or drug abuse and you
17 have no history of mental illness. These factors in mitigation
18 show that with supervision and assistance that you can be
19 rehabilitated and can come back into our community and
20 hopefully be a positive force.

21 So those are the factors the court sees both in
22 aggravation and in mitigation in this case. I'm going to turn
23 now to Mr. Yates and give him an opportunity to state the
24 government's position as to what's an appropriate sentence and
25 to provide any testimony he intends to of any victims in this

1 case, and then, Mr. Williams, I'll turn to you.

2 Mr. Yates.

3 MR. YATES: Your Honor, I was instructed to stand to
4 the podium.

5 THE COURT: Yes, please. And I think then
6 Mr. Williams can see you.

7 And, Mr. Williams, if any time you cannot hear us, please
8 let us know.

9 MR. YATES: Thank you, Your Honor, if I may proceed.

10 The government concurs with the PSR and the Probation
11 Office's recommendation. We acknowledge that it is a very
12 steep recommendation and a very tough sentence of 360 months
13 total, but we offer that this is particularly egregious
14 conduct, and although it was a fraud that involved relatively
15 small amounts of money, it was against a particularly
16 vulnerable population, as the Court has acknowledged, and for
17 whom a little loss drove people a long way down.

18 As the Court has acknowledged and certainly as the
19 Probation Office has recognized, the defendant diverted
20 mortgage payments from banks from the victims and as a result
21 left the victims at risk for not just the loss of a few
22 thousand dollars, but rather complete and utter financial ruin.

23 The government called representative witnesses to testify
24 before the federal jury, and the Court has heard testimony that
25 there were victims who went into bankruptcy, who were

1 foreclosed upon, and some, as the Court has acknowledged, that
2 were driven into homelessness. We needn't go through that
3 testimony again here. We made the decision not to call these
4 witnesses to relive their experiences because these witnesses
5 did testify in open court and Your Honor was present to hear
6 that testimony, and there's no need to go through it again.

7 But we will acknowledge and we will note certain other
8 factors that were not mentioned and we think that it's
9 important, that not only was this a vulnerable population, but
10 they were vulnerable in particular to the representations that
11 the defendant was making.

12 The defendant passed himself off as an FBI agent or as a
13 federal agent. That was the testimony from Mary Jane Laforteza
14 and from Julita Asuncion. The defendant claimed over and over
15 again on the stand that he never represented he was a lawyer,
16 and yet he presented video in which he clearly recognizes
17 himself as a lawyer.

18 And it was in relying upon those representations that
19 these victims came to sign up for the MEI program. They
20 trusted Mr. Williams, and 112 of them that we found suffered as
21 a result to varying degrees.

22 Now, other things we'd like to note that are not
23 expressly referenced in the Probation Office's report but which
24 are important is the defendant's callous disregard to the harm
25 that he caused others. We needn't press too far on the issue

1 of the victim clients, but there were other victims here other
2 than those who paid money to Mr. Williams.

3 There were, in a manner of speaking, his co-defendants
4 and other third parties that he recruited into his scheme,
5 among them, Mr. Henry Malinay and Anabel Cabebe. These are
6 people who certainly were complicit and certainly deserve to
7 face the consequences of their actions. But they were
8 themselves also victims, and they were also people who relied
9 upon Mr. Anthony Williams and his representations to their
10 detriment, because not only did they lose their houses, but
11 they are now facing criminal liability for their conduct.

12 I'm going to note also the example of Ms. Barbara
13 Williams, a woman in her 70s, a woman in poor health.
14 Mr. Williams thought nothing of including his own mother in
15 this scheme and subjecting his own mother to criminal
16 liability.

17 Mr. Williams turned honest people into his defenders.
18 Some of the victims that he victimized he called as witnesses
19 at trial. Some of them may be testifying today. It's not hard
20 to get somebody who is in financial distress to believe a lie
21 that helps them.

22 But even these are not the only victims of the
23 defendant's scheme because there were certain institutional
24 victims -- the banks, for instance. The defendant's scheme
25 involved convincing all of his clients to simply stop paying on

1 their mortgages. Now, the government has counted 112 people
2 whom he convinced not to pay on their mortgages. That's a
3 significant disruption in the operation of these banking
4 institutions, and those are just the ones who paid MEI directly
5 via checks. There were others who paid Mr. Williams or his
6 agents in cash that are not counted in that number. But that
7 is a substantial disruption in the operation of the banking
8 institutions that could have, had it continued, resulted in
9 significant bank losses, if not closures of businesses here in
10 Hawaii.

11 There's also the issue of the courts. The defendant's
12 scheme involved attempting to stop these banks from seeking
13 redress against those who were no longer paying them, and he
14 did so by influencing the courts with frivolous filings
15 involving bogus documents.

16 Now, this has happened in numerous foreclosure actions,
17 as Mr. Williams testified himself and as he elicited testimony
18 at trial, but it also, frankly, happened in this court. This
19 court has borne witness to the kind of frivolous filings that
20 Mr. Williams was capable of. And by clogging the courts, he
21 was denying justice not just to the financial institutions that
22 were not receiving their mortgage payments, but also to the
23 public as a whole who was being denied access to the courts.
24 So these are all significant and they weren't discussed in the
25 Probation Office's PSR.

1 Other matters we would point out: There is no
2 acknowledgement for the harm suffered by the victims, either by
3 the victims -- the homeowner victims or the institutional
4 victims. There isn't that kind of acceptance of
5 responsibility. Now we understand that the defendant here
6 intends to appeal his matter and he has that right, but we do
7 believe that that's an important thing to point out.

8 Now, I will leave it to the defendant to talk about the
9 matters in litigation that were outlined by the Court. I'm
10 sure the defendant will have much to say in that regard.

11 But I will point out for the Court's attention the matter
12 of the defendant's letters of support. It is true that the
13 defendant did submit letters of support, but we note that with
14 the possible exception of a few letters from his family, those
15 letters of support are either inapposite entirely, because they
16 address his pretrial detention -- or I should say presentencing
17 detention in light of the COVID pandemic, or they seek to
18 express the defendant's innocence, that the defendant deserves
19 no prison time at all.

20 Now, typically when the Court receives letters of
21 support, these letters reveal something about the defendant.
22 They show -- and they corroborate the defendant's good
23 character, honesty, diligence, contrition. The letters of
24 support that were signed and sent to this Court, aside from
25 those from the defendant's immediate family, appear to show

1 quite the opposite, that the defendant continued his fraud and
2 continued to convince those around him that he did not engage
3 in the kind of activity that a federal court and -- excuse
4 me -- the federal jury convicted him of.

5 So for these reasons, Your Honor, the government does
6 concur with the Probation Office's recommendation, although it
7 is a very substantial sentence.

8 We did struggle and we did consider strongly the issue of
9 concurrent versus consecutive sentences. We concur with the
10 Probation Office's recommendation with respect to grouping the
11 Counts 1 through 31, and then running consecutively Count 32.

12 On the other question of concurrency of the state
13 sentence, this was a matter that we did wrestle with as well.
14 There are many reasons to run this sentence consecutively to
15 the state sentence. The defendant was convicted, as the Court
16 is aware, in connection with the theft of a single property in
17 Florida. Now, that involved a different victim.

18 THE COURT: Are you saying consecutive or
19 concurrent? 'Cause the recommendation is concurrent.

20 MR. YATES: Correct, Your Honor, and I'm getting to
21 that.

22 THE COURT: Okay. I want to make sure.

23 MR. YATES: I apologize.

24 THE COURT: No, no. I want to make sure. Thank
25 you.

1 MR. YATES: So it was certainly -- it was certainly
2 a decision we wrestled with and there are reasons to run this
3 consecutively; however, we do acknowledge that this ultimately
4 was the same scheme and that we do acknowledge that it was the
5 same modus operandi that was utilized in Florida and in Hawaii.

6 So with that in mind, we do concur also with the
7 Probation Office's recommendation that this sentence run
8 concurrently with the Florida sentence.

9 THE COURT: I see. So that I understand you, you're
10 saying that when you struggled with the -- whether you should
11 recommend consecutive or concurrent with the Florida conviction
12 because of the similarity of the type of offense --

13 MR. YATES: Correct.

14 THE COURT: -- you feel that it's appropriate to run
15 it concurrent?

16 MR. YATES: Correct. Although --

17 THE COURT: For instance, if it was a crime of
18 violence in Florida and then it was this crime, those would be
19 so different that you would make the argument that potentially
20 consecutive would be more appropriate?

21 MR. YATES: Certainly. And more to that point, not
22 nearly -- not only in the situation of violence, but, you know,
23 in here what makes this a close case is, you know, the
24 government made a special effort to make sure that we were
25 focussing on Hawaii victims in the presentation of its case

1 here because, you know, the -- what made this scheme in Hawaii
2 so egregious and what distinguishes it from the situation in
3 Florida is that the defendant sought out particularly
4 vulnerable population, and it was -- it was only in a place
5 like this, in a community that was as susceptible, could his
6 scheme have found such purchase.

7 It succeeded as wildly as it did because he found a
8 uniquely vulnerable population. Those circumstances did not
9 exist in Florida.

10 THE COURT: Right. So I struggled with this also,
11 and I'm sort of landing or inclined to land in a different
12 place, which is consecutive, for that reason, is that when you
13 commit the same kind of crime and then you go to another place
14 and you use the same scheme, and then you target this
15 vulnerable population, at that point, you know, he was sort of
16 on notice that these things -- I mean, even though he didn't
17 agree with it, per his testimony at trial he believed -- he had
18 certain beliefs about the processes and so forth -- you're at
19 least put on notice by law enforcement and the courts that
20 others see it differently, and you're actually charged, you
21 know, with that kind of criminal conduct.

22 MR. YATES: Yes, Your Honor.

23 THE COURT: You're kind of put on notice at that
24 point, so that's why I was leaning more towards consecutive.

25 But I hear what your argument is. I mean, it's somewhat

1 like the prison cases that we've had where they're in prison
2 for a totally different offense and then they commit something
3 while they're in prison, the argument is to run it consecutive
4 because they're very different crimes.

5 Okay. So I understand what your position is.

6 MR. YATES: It was a close call for us, Your Honor,
7 but I think I've said enough on that subject. I have nothing
8 further at this time.

9 THE COURT: All right. Thank you. Did you want to
10 put in any other evidence or testimony?

11 MR. YATES: There's nothing further that we require,
12 Your Honor, because of the, you know, 4-week trial, and we
13 believe that the evidence was appropriately summarized in the
14 Probation Office's PSR. Thank you.

15 THE COURT: Yes, I think she did a phenomenal job.
16 It was a 4-week trial and there was a lot of evidence and
17 documents; so certainly to be commended.

18 All right. So, Mr. Williams, now you have an opportunity
19 to speak on your behalf and to point out what you believe to be
20 the appropriate sentence for you.

21 THE DEFENDANT: First of all, I want to say
22 everything that that liar, pettifogger, persecutor Gregg Paris
23 Yates said was a blatant lie. That's the number one.

24 THE COURT: All right. First of all, you certainly
25 have a right to speak on your behalf, but I'm not going to let

1 you call other people names with regard to that. So if you do
2 it again, then I'm going to cut off your ability to argue and
3 I'm going to have Mr. Isaacson do it in your stead. All right?
4 It has no place in your position with regard to sentencing. So
5 you're on warning.

6 All right. So what's your position on sentencing?

7 THE DEFENDANT: Well, the position is I should get
8 no jail time, first of all, because I didn't commit a crime.
9 The people that committed this crime, I'm the one that actually
10 went to the FBI, filed the complaint, not only with the FBI,
11 but with the DCCA. I sent the email, I sent the fax letter,
12 and I showed up in person to personally make a complaint about
13 what these people did with my documents and scamming people
14 under my good name and my good company name and my good
15 company's reputation.

16 I sent my process to the FBI office in every state that I
17 was in. Now he's going to sit up there and lie and say I chose
18 some vulnerable victims, when I was sought out by these people.
19 They're the ones that called me to Hawaii. I didn't know
20 nobody here. They're the ones that called me here because they
21 saw the work that I did in the other states, such as Florida,
22 which the Florida FBI put me under the same bogus investigation
23 that this FBI did but declined prosecution because they
24 couldn't find any evidence of no crime because there was none
25 because I was proactive before I set up my company up. I sent

1 all my process and documents to the FBI for them to scrutinize;
2 if anything in it was fraudulent or could be deemed as
3 fraudulent, to please notify me before I even set up my
4 company.

5 So there was nothing that I did that was fraudulent or
6 intended to be fraudulent or that was fraudulent against any
7 homeowner in any state, let alone here in Hawaii.

8 I never represented myself as an attorney at law. My
9 website that you all prevented from coming into the evidence
10 shows specifically that I do not want to be an attorney at law,
11 neither am I a member of the bar association, neither do I
12 claim to be a member of the bar association.

13 I'm a private attorney general or an attorney-in-fact.
14 And the reason why I can claim that I was an attorney or
15 attorney-in-fact for my clients, because every client filed a
16 power of attorney, which is according to your own Hawaii
17 Revised Statute 551(d) and also the Tennessee Code Annotated
18 34-6109 through -111, and this is how I was able to represent
19 and assist all my clients in courts in all the states that I
20 have a office set up.

21 Also, under the federal law, Rule 17, under next friend,
22 I was able to assist clients here in Hawaii and other states
23 which they were on video with me assisting clients here with no
24 problem with several of the federal judges and state judges in
25 these courts here.

1 None of the documents that I filed were false or
2 fraudulent. I've never been charged with false documents in
3 Hawaii, filing false documents, because I had all my documents
4 approved by the district attorneys in the counties I was in,
5 the Antipredatory Lending Database, and also the FBI. Nothing
6 I was filing was fraudulent or could be construed as
7 fraudulent.

8 The witnesses that they were able to coerce at the trial
9 by lying, the Madambas, gave me a affidavit stating that I was
10 not the one that scammed them, but it was Henry Malinay, Anabel
11 Cabebe, and Rowena Valdez. Those are the people that scammed
12 them. But five years later they were coerced by the
13 prosecutors to be able to lie on the stand that I lied to them
14 about what their process were.

15 And it's very upsetting and disturbing that these
16 prosecutors would cherry-pick the MEI applications and only
17 mention the homeowners guarantee service or the homeowners
18 service guarantee, but failed to mention the foreclosure
19 disclosure that every client had to file and had to sign which
20 specifically stated that if they were facing foreclosure, in
21 foreclosure, that they did not qualify for the mortgage
22 reduction program. And that's what all the clients here
23 understood that, that I would be fighting in their foreclosure
24 and helping to assist them to stay in their homes, which I did,
25 which is reflected on the record with a plethora of motions

1 that I filed, that most of my clients are still in their homes.
2 Of the 112 people, probably three or four people are not in
3 their house, and they're not in their home not because of me;
4 it's because I was unlawfully incarcerated for nine months
5 where I could not litigate on their behalf on things that was
6 not my fault that I was incarcerated wrongly. I won my case
7 and came back to assist these same people.

8 I did not represent myself as an FBI agent. The
9 government witness, Melvin Ventura and Mary Jane Castillo, both
10 testified, especially Mary Jane. She was in those conferences
11 with a lot of those clients that was signed up that actually
12 even was testifying to prove that I did not make those
13 misrepresentations. Those people blatantly lied on the stand.
14 I showed the documents where they lied.

15 Loreen Troxel stated that I didn't do anything for them.
16 I showed by the exhibits how many motions I filed on her
17 behalf. I had to take over her litigation, which she had went
18 to Edna Franco, and I had to step in to take over that
19 litigation to keep her in her home, which she still is.

20 I did not cause any harm to any clients, and that's the
21 reason why I did not have any complaints filed against me from
22 that day to this one. Still, even the people that came to
23 court that testified still never filed a complaint against me
24 because I did what I was supposed to do.

25 The FBI agent Megan Crawley took it upon herself to go to

1 my clients' homes unannounced, uncalled, and did a 302 report.
2 In all of their 302s, not one client stated that I scammed them
3 or defrauded them. Those 302s were not let to come into the
4 evidence where the jury could have saw her own words that these
5 people that she interviewed stated I did not do anything wrong
6 to them, but I did everything that they paid me for and also
7 still worked with them when they couldn't pay me.

8 Henry -- now he tried to allude to the notion that Henry
9 Malinay and Anabel Cabebe were victims of mine. These people
10 were liars. They were scam artists. I put them on my website
11 because of them scamming people and conning people and they
12 also conned me, more specifically Anabel because Anabel's the
13 one that told me that Henry Malinay and Edna Franco had opened
14 up a bank account. But she didn't tell me that she was one of
15 the signers on there. So I defended this woman all these
16 months against the DCCA thinking that she was a
17 innocent -- innocent bystander when she was one of the main
18 culprits in the fraud in setting up the Mortgage Enterprise to
19 try to make it look like it was Mortgage Enterprise
20 Investments.

21 Then they tried to allude to the fact that I tried to
22 make my mother into a victim. And the reason why my mother
23 even was involved is because the FBI went around to all the
24 banks here in Hawaii and made me close my bank -- they closed
25 all my bank accounts that I had set up here in Hawaii for my

1 clients here, and I had to set up an account in Texas so my
2 clients can have somewhere to send their payments to because I
3 wanted to make sure that there was a paper trail for everything
4 that I did.

5 This is not the modus operandi of a scam artist. Scam
6 artists are what Henry Malinay, and Edna Franco, and Anabel
7 Cabebe did, taking money from people, cash money, with no
8 receipt and no paper trail and no work and no services
9 rendered. That's what they did.

10 I videotaped me going into court defending these people.
11 I videotaped me going to the FBI making a complaint against
12 these people for the fraud they committed against me, my
13 company, and my clients here in Hawaii.

14 You all heard testimony from clients that knew these
15 people: Ms. Rosy Thomas, Ms. Elevation Giles, Ms. Mila Gas- --
16 Castro. These are Filipinos, Hawaiian people, and they're
17 talking about I targeted vulnerable Filipino. Filipino people
18 were not the only people that I had as clients. I had
19 Caucasian clients, I had Samoan clients, I had Hawaiian
20 clients, I had African-American clients, I had Hispanic
21 clients. None of them were vulnerable.

22 The Filipino clients that most of my clients were were
23 college educated. They weren't ignorant people. They weren't
24 scammed. They weren't duped into signing up with my program.
25 They was explained to -- the program was explained to them

1 fully and sufficiently, and I took my time to -- it's not
2 complicated. It's not a whole lot of legal jargon.

3 So no one was scammed or no one was duped into signing
4 that application and signing up for my services. Before
5 anybody signed up on my services, I always encouraged them to
6 do research on me to make sure they understood who I was, what
7 I am, that I'm not a member of the bar association, neither do
8 I ever want to be a part of a corrupt association like the bar
9 association where it's okay to lie in order to get a desired
10 result. I cannot do that. I represent my people with
11 integrity and honesty and I always will do that.

12 THE COURT: So, Mr. Williams --

13 THE DEFENDANT: Now --

14 THE COURT: Mr. Williams, you've been speaking for
15 about 10 minutes, and I'm happy to hear your argument with
16 regard to an appropriate sentence. But you are really
17 rehashing the trial which has been held, and after
18 deliberation, the jury has found you guilty of 32 counts. So
19 it's not helpful to the court.

20 If you want to argue with regard to the sentence and the
21 reasons why an appropriate sentence would be less than what
22 Mr. Yates has argued for, I'm happy to hear it.

23 Otherwise, rehashing the evidence presented at trial is
24 more appropriate on appeal. So I'll give you three more
25 minutes if you want to bring up any points with regard to your

1 sentence.

2 THE DEFENDANT: Well, first of all, the sentence is
3 ridiculous. A 30-year sentence, a sentence that is far beyond
4 a sentence that a murderer would get, a rapist would get, or
5 anyone that actually had victims.

6 This sentence that they're proposing is, quite frankly,
7 racist, it's discriminatory, and it shows the disposition of
8 this prosecution that they didn't charge not one Caucasian
9 employee of mine here in Hawaii or any other states, but they
10 only charged me. And now they want me to serve 30 years for
11 assisting people into staying in their home, and they know good
12 and well that the people did lose their home, it wasn't because
13 of my -- something that I did. It was because the banks
14 foreclosed on them illegally and unlawfully without a trial by
15 jury, and I did everything that I could to keep those people in
16 homes and the ones that did get foreclosed on was because I was
17 incarcerated. Ms. Thomas and other ones that was able to keep
18 in contact with me are still in their home because of what I
19 did.

20 So they're proposing a 30 -- 360-month sentence or
21 30-year sentence when Henry Malinay and Anabel Cabebe haven't
22 done a day in prison and are not going to do a day in prison
23 because of the way that they got a plea deal and then was taken
24 off my case as a co-defendant so they wouldn't be subjected to
25 these inordinate and ridiculous sentence for mail and wire

1 fraud.

2 Also, under the mail and wire fraud statute in the United
3 States Code under a Class C felony, the maximum you can get for
4 a Class C felony is 12 years, and now they have 30 years on a
5 wire fraud and mail fraud, which there was no fraud that they
6 ever showed in any of the emails or the 16 payments that was
7 sent -- 16 payments that was sent -- 12 by Mr. Ventura and 4 by
8 Mr. Evelyn and Arnold Subia. And Mr. Ventura gave me several
9 affidavits and he testified on the stand that he still trusts
10 me and still believe that I'm a man of faith and I'm a good
11 man. Because all the testimony that he said, the prosecutor
12 just said that the other letters of support said that I didn't
13 have integrity, that's a lie.

14 The letters of support, if you read the letters from
15 Dr. Horowitz, Sherri Kane, Ms. Robbin Krakauer, Rene Powers,
16 all of these are Caucasian people that know me that I assisted
17 in their fight against foreclosure. These are people are not
18 ignorant of the law. I made sure that they researched.
19 Everything that I did was honorable. That's the reason why I
20 was transparent with my company.

21 So a sentence of any days in prison is a travesty of
22 justice. It's a miscarriage of justice. I've already done
23 time, illegally and unlawfully, for a crime that I did commit
24 in Florida.

25 He brought up the Florida case. I was not convicted of

1 Florida with the same conduct. This is what they're alleging.
2 No. I was convicted in Florida based on them saying that I
3 filed documents to steal a house from Bank of America. There
4 were no homeowner victims in the Florida case, just like there
5 was no victims here. But they try to make it like it was the
6 same foreclosure scheme in Florida -- and it was -- the same
7 foreclosure scheme that they're claiming that I did, the FBI in
8 Miami investigated me and declined prosecution.

9 And the reason why they prosecuted here because they knew
10 they could get a all-white or all-Asian jury that they could
11 not get in Florida because no self-respecting law-abiding
12 citizen could have sat on that jury and convicted me unless it
13 was all-Caucasian or all-Asian jury.

14 So I do not deserve any sentence because I did not commit
15 no crime, and I still maintain my innocence, and I got
16 witnesses that will testify today to that fact.

17 THE COURT: All right. Thank you very much.

18 MR. YATES: Whenever it's appropriate, Your Honor,
19 I've been notified that there have been victims who desire some
20 time to address the Court.

21 THE COURT: Oh, okay. So you do want to present
22 them. All right. All right. So I think this would be an
23 appropriate time before I determine the sentence.

24 If you can come up to the podium. Good morning.

25 MS. THOMAS: Good morning.

1 THE COURT: If you could state your name and speak
2 into the microphone so we all and the court reporter can hear
3 you.

4 MS. THOMAS: Okay. I'm pretty nervous. Before I
5 begin my testimony, I would like to acknowledge and give glory
6 and honor to Yahweh Elohim Yashuah who is in control of
7 this --

8 THE COURT: Could you state your name --

9 MS. THOMAS: -- court proceedings today.

10 THE COURT: I'm sorry. Could you tell us your name
11 first?

12 MS. THOMAS: Yes. I'm getting to that. My name is
13 Rosy Esprecion Thomas, and I'm here in testimony to support
14 Anthony T. Williams. Thank you, Your Honor, for allowing me to
15 give this testimony today. I respect you and I give you my
16 thanks.

17 To Anthony, thank you for trusting me. I respect you. I
18 love you as my brother in Yahshua.

19 Mr. Isaacson, thank you, and I respect you for what
20 you're doing for Anthony.

21 To the prosecutors, Mr. Sorenson and Mr. Yates, FBI
22 investigator Ms. Crawley, thank you, and I respect you as well.

23 And to all who are here today in this courtroom and for
24 all those who are listening in outside of this courtroom, aloha
25 to all of you and I give you all my love and respect to each

1 one of you.

2 Before I begin my testimony, I felt it is necessary to
3 state my credentials, not to brag, but rather it is my humble
4 intention to affirm to this Court that my intent is for all of
5 you to, quote/unquote, to "connect the dots" and to validate my
6 testimony as chronologically as I could to ensure and assure
7 this Court that my testimony are factual and are the truth, as
8 I am monitored by Yahweh Elohim Yahshua, as it is Him always
9 that I answer to.

10 1981 to 2012 I worked full time as registered nurse in
11 three major hospitals here in Oahu. My passion of my nursing
12 career was working in the intensive care unit.

13 2006 to 2012, while working full time as an RN, I slowly
14 started my CMA, Case Management Agency, as a entrepreneur as my
15 second job. My CMA's function was to manage the cost of care
16 home operators in Oahu and also to manage the care of elderlies
17 who are our local kupunas who required placement in a foster
18 care home as they required assistance in their basic care needs
19 done by the certified nurse's aides who had gone through basic
20 requirements of going through nursing classes, and then they
21 were licensed by the State of Hawaii.

22 2013 to 2014 I was a certified legal nurse consultant.
23 As a legal nurse consultant, I assisted lawyers in any of their
24 cases discoveries. Because of my RN background, my expertise
25 was best utilized in medical or healthcare-related lawsuits to

1 decipher and to interpret the medical semantics in a way that
2 lawyers could understand the health issues of their client so
3 they could knowledgeably defend their clients. I could also be
4 hired as an RN medical expert in court trials.

5 2015 to 2018 I was a licensed insurance agent with PFA,
6 Premier Financial Alliance.

7 In May 1970 my family immigrated to Hawaii. I was eighth
8 grade at the time. There are about 184 dialects in the
9 Philippines. I am quadlingual[sic]. Besides English, I could
10 speak three different Filipino dialects: Tagalog, Ilocano, and
11 Pangasinan, which are the three main dialects spoken by the
12 majority of Filipinos both in and outside the country.

13 Philippines is one of the few countries where Filipino
14 children are automatically bilingual from the time they start
15 school in kindergarten until college. Filipino school
16 curriculum primarily taught in English both reading and writing
17 due to the American influence that began in the early 1900s
18 when William Howard Taft was commissioned by the U.S.
19 Government to establish an American federal government in the
20 Philippines in 1902.

21 In January 2013, I was faced with foreclosure issues.
22 Both my home and my parents' apartment, which I was also paying
23 their monthly mortgage, went in foreclosure. As I was one of
24 the dozen CMA case management in the islands, I would know who
25 the caregivers are anywhere in the islands, whether in person,

1 or I am familiar with their names. Mary Jean Castillo, Anabel
2 Cabebe, and Mila Castro, I pretty much knew them personally as
3 members of the foster care home arena, whereas Loreen Troxel I
4 only knew her by name. She was also a caregiver.

5 It was Mary Jane Castillo, herein after MJ, who
6 introduced me to Anthony Williams's company called Mortgage
7 Enterprises Incorporated. Starting around the time she was
8 hired as Anthony's employee approximately May of 2013, I was
9 one of Anthony's original clients dating back since May 2013 to
10 this date.

11 I was -- my initial personal experience with Anthony was
12 one that he was honest, sincere, transparent, and he explained
13 the process of helping us, as there were other clients besides
14 me who were also in the same office during my initial meeting
15 with him requiring his assistance because we were all in
16 foreclosure.

17 He introduced himself to us in that meeting that he is a
18 private attorney general and not a lawyer, and he is capable of
19 assisting us or anyone else needing his services in their
20 foreclosure issues.

21 I was not familiar with this term PAG, private attorney
22 general, so I researched it later on. Since I was already in
23 the foreclosure and court hearings has been initiated by my
24 lenders, Anthony informed me that he did not guarantee that I
25 would win my case, but perhaps he could detain them for as long

1 as he could until I could get back up on my feet again. That
2 was fair and I accepted his rationale.

3 But a couple of months after enrolling in his program,
4 Anthony was taken into custody at OCCC, Oahu Correctional
5 Community Center, and everyone in his circle of friends and
6 clients were in shock.

7 Ms. Castillo was one of the caregivers under my CMA.
8 This was how we became close friends. MJ remained as Anthony's
9 trusted employee, along with Sam T. who were the last two MEI
10 employees. Since I no longer have a daily job, I was at her
11 tail, so to speak, most of the time. The day after Anthony
12 asked MJ to wire the money to Anthony's mom, Barbara, MJ showed
13 me the receipt.

14 MJ confided in me that she hired her own lawyer in the
15 event that she might also be indicted because of her employment
16 with Anthony's company. Per MJ, their lawyer instructed her to
17 stay away from Anthony completely.

18 MJ also has another trusted friend named Mel H. who was a
19 captain in the National Guard at the time doing his own *pro se*
20 motions for his own foreclosures. MJ stated that she felt bad
21 for, quote/unquote, "abandoning the sinking ship."

22 She further stated that, "I have to save my own self
23 since I don't know how long Anthony will be in jail. I have
24 bills to pay," unquote. But she remained in MEI to tie some
25 loose ends, quote/unquote, for at least a couple of months

1 before she left MEI completely.

2 While Anthony was at OCCC, MJ informed me that she was
3 visiting Anthony for at least one to two times a week to bring
4 him papers that he needed and to obtain instructions from
5 Anthony on what she needed to do to continue in keeping
6 Anthony's office afloat and to continue to assist Anthony's
7 clients until he is released.

8 Anthony is an honest, sincere, and highly dignified man,
9 morally and ethically, besides being highly spiritual person.
10 Before MJ left MEI, she asked her friends Mel H., Sam T., and
11 myself if we could assist Anthony and his clients once she's
12 gone. It did not take us a second thought of agreeing to take
13 on this responsibility because, as Anthony's friends, we
14 respected, we honored, and we believed in his altruism.

15 Our primary goal was to give Anthony's clients the
16 options of what they could do to avoid eminent foreclosures
17 since we did not know when he was going to be released. Our
18 intent was to inform all the clients that were on the list,
19 those who were willing to listen and those who are willing to
20 work with us, by, number one, tell the truth that Anthony was
21 at OCCC, that we don't know when he's going to be released,
22 and, two, we could offer them an option to apply for home
23 modifications with their respective lenders in hope to buy time
24 for these clients from being foreclosed on hoping that Anthony
25 would be released at OCCC within a few months.

1 Mel H. visited Anthony at OCCC at least once a week to
2 obtain instructions from Anthony on what needed to be done to
3 assist his clients and to update Anthony of what we had been
4 doing for his clients. I know this as a fact because I was
5 with Mel H. on every visit he had with Anthony. Only one
6 visitor was allowed at OCCC. I stayed in Mel's van no matter
7 how long it took Mel to wait to get in to see Anthony. I
8 usually waited in the hot parking lot at OCCC with the van's
9 A/C on.

10 Mel H., Sam, and myself took on this job purely as,
11 quote, "volunteers" with no expectations of getting paid
12 whatsoever. We believed in Anthony's altruism, so as his
13 friends, we supported him. The three of us were not working
14 anywhere at the time, so we had the time we needed to do what
15 we needed to do to assist him. We met and worked at Mel's
16 house as needed.

17 Before MJ left MEI, she taught the three of us how to
18 fill out the QWRs. Her rationale was we would process these
19 forms for Anthony, and once he's out of OCCC, he then could
20 respond to the QWRs. It was MJ who added Mel H. and my name on
21 the letterhead of Anthony's company just before she left MEI.

22 MJ gave us a box full of papers from Anthony's office
23 when she left. In this box it contained some of the clients'
24 application forms, the list of clients' names, phone numbers,
25 and their addresses, and a few MEI checks rubber-stamped in the

1 back of the checks that it was already deposited.

2 Sam and Mel were not received well by the clients when
3 they first started calling them on the phone. I was then
4 volunteered by these two guys to do the follow-up phone calls
5 instead because, one, I was trilingual; I could speak three
6 Filipino dialects. Because I'm a female, perhaps the clients
7 would respond better with a female voice on the phone.

8 When Mel and Sam called the other clients on the list and
9 those that were willing to meet with them face to face,
10 appointments were made. I don't remember exactly the total
11 number of clients that were on the list, but I'm sure it was
12 over a hundred clients.

13 We spent more than two months of Mel and Sam visiting
14 clients' homes and me calling clients that were on the list. I
15 did the follow-up phone calls on my own time at my house,
16 calling mostly in the evenings and on weekends because this was
17 when the clients were home and available to talk to.

18 As expected, a lot of the clients were very upset. Mel
19 H. and Sam got the brunt of it. When the three of us meet at
20 Mel's house, I shared our experiences -- we shared our
21 experiences during all this follow-ups. Mel and Sam stated
22 that some of the male clients gotten so upset during their
23 face-to-face meetings that some attempted to get physically and
24 verbally abusive towards them.

25 I remember some of the clients slamming the phone on my

1 ears as well once they heard me say, "I'm calling on behalf of
2 MEI."

3 However, those clients who accepted us calmed down once
4 they knew why we were reaching out to them and why I was
5 calling out to them. In fact, most of the clients were
6 thankful and felt relieved that Anthony and his company still
7 had friends reaching out to them to inform them and to update
8 them of what's going on with Anthony.

9 The clients that I spoke to stated that they paid cash
10 money to Henry Malinay, mostly paid in the amount from \$10,000
11 up to \$15,000 in cash. The clients stated that Henry promised
12 them that he could help them with their foreclosures.

13 The clients that I spoke to stated that they paid cash
14 payments that were collected by Henry Malinay, Edna Franco,
15 Anabel Cabebe, Rowena Valdez, and Angelina Pasion. These
16 clients also stated that they were never given receipts, even
17 if they asked for it, promising them that, quotes, "It will be
18 given later," unquote, but it never happened.

19 Most of the clients who give their payments to Henry and
20 his cronies, meaning Edna, Anabel, Rowena, and Angelina, these
21 clients stated that they gave their life savings money to them
22 with the hope that they would not lose their homes.
23 Unfortunately, because these clients have no receipts to show
24 for, they felt they had no recourse in proving what they paid
25 and they felt no authorities would listen to them if they

1 reported it.

2 As I continued to do my follow-up phone calls, I found
3 out from the Maui clients that it was Henry and Rowena Valdez
4 who used to go to Maui to give seminars in one of the hotel's
5 meeting rooms. I asked one of the Maui clients to send me a
6 copy of the flier that Henry and Rowena was passing out for
7 their free seminars. I saw with my own eyes a copy of the
8 flier that Henry and Rowena were passing out to recruit their
9 Maui clients. These Maui clients that I have spoken to on the
10 phone stated that Henry gave the seminar and Rowena collected
11 the fees.

12 THE COURT: So, thank you, I really appreciate what
13 you're having to say, but with regard to Mr. Williams, though,
14 if you want to give any testimony for sentencing --

15 MS. THOMAS: Yes, I'm getting to that, Your Honor.

16 THE COURT: -- because we've already gone through
17 the trial and the jury has come back with their decision, and I
18 recall that you were given an opportunity to testify at trial.

19 MS. THOMAS: Okay.

20 THE COURT: So if there's something that you
21 personally would like to say about Mr. Williams --

22 MS. THOMAS: Yes, I do.

23 THE COURT: -- or his sentence, I welcome you to do
24 that now.

25 MS. THOMAS: Okay. When Anthony was extradited to

1 Honolulu on September 2017, I was truly relieved because the
2 lawyer that I paid retainer's fees to assist me with my
3 foreclosure issues was a waste of my money. He did not do what
4 he said he would do to assist me. I was still in foreclosure.

5 It has been eight years to date, from 2013 to 2020, that
6 Anthony continues to assist me with my parents' foreclosure
7 issues even while he's incarcerated at FDC. Currently Anthony
8 is also assisting several other of my friends with the same
9 foreclosure issues.

10 Anthony is a victim of circumstance. He is the big fish
11 that the government caught to keep lids shut as to make an
12 example out of him. Every form of oppression, prejudice, and a
13 violation of his human rights and his civil rights has been and
14 continues to be perpetrated against him inside the BOP and in
15 this courtroom in their hope of breaking him down physically,
16 psychologically, and spiritually.

17 However, Anthony is a realist, a truth seeker to the very
18 core of his being. His love of Yahweh Elohim Yahshua, his
19 dignity, his morality, his perseverance, his altruism, the
20 genuine truth that he's standing firm for, these are what
21 motivates him to show himself of who he truly is.

22 I do not condone the actions of the far left nor the far
23 right nor any actions done to harm humanity by the violent
24 criminals, the mass murderers, the drug lords, the human
25 traffickers, the pedophiles, or any others that commits

1 horrific and atrocious harm to humanity. I even believe in
2 capital punishment if beyond any reasonable doubts that one's
3 guilty actions have been proven and this is truly what it would
4 take to eradicate such bad people as menace to society,
5 especially if they're far removed from reality, have no
6 remorse, and unrehabilitated individuals.

7 The ring of greed and power that has been enslaving
8 humanity not only here in United States, but worldwide,
9 conceived and created millenniums ago by the dark elites of
10 nobility which continues to this day.

11 The riots that are going on worldwide has upset and
12 incited the general population mightily, globally to arouse the
13 consciousness of humanity against the asymmetrical economic
14 warfare we are all faced -- we are all faced with today, and
15 continues to be astoundingly being perpetrated against humanity
16 worldwide.

17 In conclusion, Your Honor, Anthony's ex-employees,
18 namely, Henry, Edna, Anabel, Rowena, and Angelina, are still at
19 large. Although Henry and Anabel were indicted with one count
20 each, that is just the prosecutor's deceptive, egregious
21 tactics to further add layers to their compacted lies and
22 manipulations to ensure that their conviction of Anthony are
23 merited.

24 Anthony is not a felon, but rather, he is victimized by
25 these vindictive FBI investigator and prosecutors whose main

1 intention is to prosecute and to persecute regardless of the
2 truth to make an example out of him daring to push the limits,
3 daring to penetrate the ring of power that they are protecting.

4 Your Honor, you hold the balancing scale. You are the
5 fulcrum of this teeter totter of justice versus injustice.
6 Anthony's future lies in your decision today.

7 He is a man of dignity and his main intention was to
8 serve others. This was thwarted mainly because he trusted a
9 group of people whom he thought holds the same core values and
10 principals of his caliber. Anthony is a realist. He seeks for
11 the truth no matter what, and his uncompromising spiritual,
12 moral, and ethical values that he exemplifies are what he lives
13 by and execute to this day in his daily life.

14 Anthony never would have thought that these kind of
15 people have the heart to destroy lives, especially our kupunas,
16 and think that they could get away with it. Personally, I am
17 truly very ashamed and I am truly very, very disappointed to be
18 in the same culture as them.

19 Anthony has been in this business for 19 years before
20 coming to Hawaii in an attempt to help the local people.
21 Except for another wrongful accusation in his Florida case, a
22 double jeopardy that he is being tried for, his line of work
23 has been spotless and legal in the eyes of law.

24 American people and humanity worldwide are now,
25 quote/unquote, waking up to the truth, the injustices being

1 perpetrated to those who were wrongfully accused and wrongfully
2 prejudiced against. The division between, quote, us against
3 them, black versus white, the powerful elites versus the
4 innocent poor people, are now all surfacing in every major
5 cities in America.

6 Your Honor, you are given a very important job. Whether
7 you believe in higher divinity or not or you have your own
8 religious beliefs, your unique woman qualities of having the
9 special intuition of what is in your heart that resonates with
10 the truth presented to you throughout this case, may it
11 penetrate your heart and burn the iniquities and plant the
12 truth of life instead.

13 Perhaps today is just another working day for you because
14 this has been a job you have been doing since you were
15 appointed by President Obama several years ago. Your Honor,
16 you are a wife, a mother, a grandmother perhaps, a sister, an
17 aunty. I'm sure that your passion when you were a little girl
18 for service of others, and I assume that the reason why you
19 chose this prominent commendable job, a very respected
20 position, is to serve justly.

21 Your Honor, I am asking you humbly, sincerely in my heart
22 of hearts, especially on behalf of Anthony's children, his
23 family, and his friends who could not be here in person
24 today -- we are asking for your mercy and grace to exonerate
25 Anthony of all the wrongful accusations done against him.

1 Being incarcerated for almost four years for a crime he did not
2 commit is very bitter to swallow, yet he was made to endure.

3 I believe in justice and equality. I still believe in
4 our government. I still believe in our judicial system. And I
5 still believe in American dream.

6 Your Honor, your children or your grandchildren might be
7 one day follow your footsteps. The injustices being done
8 against humanity and for Anthony has been assiduously horrific
9 and atrocious throughout this case.

10 Your Honor, you have the power to change these
11 injustices, to do what was righteous, to not destroy a
12 dignified man's life today. As Americans, we need and we must
13 move forward as a united people to once again become a country
14 filled with love, peace, unity among each other.

15 Your Honor, you have the power to dissolve the ring of
16 greed and power that is rampant in this day and age. May you
17 have -- may your heart be filled with love. Thank you very
18 much.

19 THE COURT: Thank you.

20 MR. YATES: Your Honor, I understand that there are
21 two other individuals who have paid money to Anthony Williams
22 who wish to speak. I do understand one of them, if not both of
23 them, were on the defendant's witness list. So an instruction
24 may be appropriate to ensure that, you know, the communications
25 are limited to the sentencing proceeding and not to the

1 underlying facts of this proceeding.

2 THE COURT: Who's the first of the next?

3 MR. YATES: Elevila Giles.

4 THE COURT: All right. Good afternoon. Welcome.
5 Please speak into the microphone. If you could state your
6 name, and I just remind you that this just has to be about
7 Mr. Williams and not the underlying case. The trial's already
8 been held and the jury made its decision, and I'm compelled by
9 law to uphold the jury's decision. Of course, Mr. Williams has
10 a right to appeal his conviction to a higher court.

11 MS. GILES: Okay.

12 THE COURT: Good afternoon.

13 MS. GILES: Thank you. Good afternoon, Your Honor.
14 Good afternoon, Officers of the Court. Thank you for this
15 opportunity to let me speak.

16 I apologize. I'm a little overwhelmed, emotional. My
17 name is Elevila Giles. I'm 73 years old, retired. I'm a
18 mother of three, a grandmother of seven young boys, and a woman
19 of faith, of great values, deep values. I'm a Christian, as I
20 understand Anthony to be.

21 I met Anthony Williams in the home of Henry Malinay in
22 2013. At that time my home was going through foreclosure, and
23 Henry was a very good friend; we had been in multiple
24 businesses together. And he called me and said, "Maybe we have
25 help for you, so come on over."

1 So I did. I went over there and met Anthony -- very nice
2 person. And the program was explained to me and I thought it
3 sounded really good and I paid my \$500 by check.

4 I'm sorry. I can't even see my notes because of my
5 tears.

6 THE COURT: Would you like some Kleenex?

7 MS. GILES: Okay. Thank you. I forgot my glasses
8 too. Okay. Thank you.

9 I often witnessed many other people, including Henry
10 Malinay whose home was also being foreclosed on, going through
11 the same process with the intent of keeping our homes, not --
12 you know, avoiding foreclosure. And I thought that that was a
13 great thing for Anthony to do and I was very supportive of it.
14 And I did -- although I had other friends who were also going
15 through foreclosure, they didn't participate in the program.

16 When Anthony was incarcerated, I couldn't -- you know, I
17 couldn't continue the process, so I then had to work with Edna
18 Franco and, of course, she was a lot more costly in terms of
19 money. She wouldn't do anything for me unless I paid up front
20 the amount of \$1,500 or \$2,500. And of course, that set me
21 back quite a bit, so I was like, okay, in order for me to get
22 out of foreclosure, I got to pay you more money. So, you know,
23 the bank -- that money could go to my bank.

24 But in any case, she eventually disappeared and left me
25 where I was, not any better, but probably a little bit more

1 worse because now I had paid her money instead of putting it
2 into my mortgage.

3 My experience with Anthony has always been that he's a
4 very kind, compassionate, and was very, very helpful. When he
5 came out of I think one of his incarcerations, I was able to
6 get some more help from him and I was able to go and file my
7 own paperwork with his direction until he was incarcerated
8 again, so then I was lost again.

9 But I always found him to be very helpful. There was
10 never any -- any intent to harm me or anyone else that I knew
11 that was working with him. He came across as a very humble
12 person who was just there to help people to prevent foreclosure
13 and to be able to stay in their homes. And I saw a lot of
14 people being helped by this man, and above all, he educated
15 them. He educated us not to get frantic, not to lose our hope,
16 but that there are things that we could do in order to overcome
17 the foreclosure or get out of foreclosure.

18 So I find him being charged and being incarcerated
19 heartbreaking, totally heartbreaking, because I only saw him
20 help a lot of people, including Henry and all those other
21 people that got the checks. I even witnessed that they got the
22 checks and they spent the checks. This man did not spend those
23 checks. I saw the many checks that they cashed. In fact, they
24 even bragged about it. They even took a trip to the
25 Philippines and had so much money, they were throwing it out.

1 And that broke my heart because to have an honest man
2 like Anthony being -- I don't want to say the word framed, but
3 that's what it seems to me. I don't know any legal terms and
4 so forth, but it seems like he has been framed, and I am
5 heartbroken because I only saw him help people to stop them
6 from being foreclosed upon.

7 And I would like -- I'm here today to plead with you as
8 the person overlooking this case that it would be -- it would
9 be criminal to punish this man any longer because of -- I know
10 his heart is to help people. I know he's not there to rip
11 people off. I know he's not there to put people out of their
12 homes.

13 On the contrary, he is there to help them stay in their
14 homes. He takes his time. He doesn't pay -- I mean, he didn't
15 pay me for the hours of work that he put into -- I didn't pay
16 him. I paid Edna, who didn't do me any good. But -- but
17 Anthony did not charge me to help me, and I am still in my home
18 today because this man helped me.

19 So I'm here to just plead for him for mercy, for whatever
20 it's called, because I think this man has a good heart and I
21 don't think he's harmed any of the people. I suspect that the
22 people that were harmed were harmed by the people around him
23 who took the money and spent it rather than conduct the
24 business of saving people from foreclosure.

25 And that's all I have to say. Thank you for the

1 opportunity to speak today.

2 THE COURT: All right. Thank you very much.

3 MS. GILES: Thank you for the Kleenex. Thank you.

4 MR. YATES: We're notified that the third witness
5 would not like to speak.

6 THE COURT: All right. Thank you.

7 Is there anyone else in the courtroom for this
8 opportunity? I just want to make sure we're not overlooking
9 anyone.

10 All right. Let the record reflect there's no response.

11 All right. So then the court's going to state the
12 sentence and the reasons for the sentence, and then the special
13 conditions, and then I'll ask the parties if there are any
14 legal objections to the sentence before I impose it.

15 So as the court had previously determined, the applicable
16 guidelines are:

17 Total offense level 41;

18 Criminal History Category V;

19 The guideline range is 360 to 7,680 months.

20 Court does grant the defendant's motion for a variance,
21 and I am going to make the sentence:

22 You are committed to the custody of the Bureau of Prisons
23 for a term of 240 months as to each of Counts 1 through 32 to
24 run concurrently, and all to -- for a total of 240 months, and
25 all to run consecutively with Florida case No. 17-000074CF10A.

1 So as I had the discussion with Mr. Yates, the court
2 recognizes that under United States Sentencing Guidelines,
3 Section 5G1.3(d), the sentence for Mr. Williams's case for the
4 32 counts may be imposed to run concurrently, partially
5 concurrently, or consecutively to any prior undischarged term
6 of imprisonment to achieve the reasonable punishment for the
7 instant offenses.

8 While I do believe that Mr. Yates has a good argument
9 with regard to concurrent to the Florida case, I was persuaded
10 by Ms. Thomas's testimony today, or her statement, that
11 Mr. Williams continues to apparently advise people on the same
12 thing that he got convicted in this case for and that he got
13 convicted similarly in Florida, and therefore, I think it is
14 this continuing behavior, and that needs to be reflected in the
15 consecutive sentencing. So that's my reason with regard to
16 that.

17 Supervised release of three years for each of the
18 Counts 1 through 32 to run concurrently;

19 No fine, making the specific finding that based on his
20 financial obligations, particularly for restitution, and the
21 long term of imprisonment, you are unable to pay a fine;

22 Restitution in the amount of \$230,527.13;

23 Special assessment of \$100 for each count, for a total of
24 \$3,200.

25 The terms of your supervised release:

1 You must abide by the mandatory and standard conditions
2 of supervision, including the following conditions:

3 The court waives the mandatory drug test condition
4 because you do not have a recent history of substance abuse and
5 the offense is not drug related.

6 You must cooperate in the collection of DNA as directed
7 by Probation.

8 You must report to the probation office in the federal
9 judicial district where you are authorized to reside within
10 72 hours of the time released, unless the probation officer
11 instructs you to report to a different probation office or
12 within a different time frame.

13 You must abide by the following Special Conditions:

14 You must participate in a mental health assessment and
15 any recommended treatment in a mental health program, and
16 follow the rules and regulations of that program. The
17 probation officer, in consultation with the treatment provider,
18 will supervise your participation in the program, such as
19 provider, location, modality, duration, and intensity.

20 Restitution of \$230,527.13 is due as specified in PSR
21 Attachment A. Any unpaid balance is to be paid during the
22 period of supervision in monthly installments of 10 percent of
23 your gross monthly income, commencing 30 days after the start
24 of supervision. The court may order this requirement to be
25 changed from time to time as circumstances warrant, but no

1 court order shall be required for your voluntary agreement to
2 pay more than the court-ordered amount. Interest is waived.
3 Payments must be made on a payroll deduction, when applicable.
4 You must notify the probation officer of any change in
5 financial circumstances that affect your ability to pay. Your
6 financial circumstances must be reviewed by the probation
7 officer on at least an annual basis. The victims' recovery is
8 limited to the amount of their loss, and the defendant's
9 liability for restitution ceases if and when the victims
10 receive full restitution.

11 You must provide the probation officer access to any
12 requested financial information and authorize release of any
13 financial information. The probation office may share
14 financial information with U.S. Attorney's Office.

15 You must apply all monies received from tax -- income tax
16 refunds, lottery winnings, inheritance, judgments, and any
17 anticipated or unexpected financial gains to the outstanding
18 court-ordered financial obligation, at the discretion and
19 direction of the court.

20 You must not incur any new credit charge -- credit
21 charges, or open lines -- additional lines of credit, or apply
22 for any loans without prior approval of probation. You must
23 not borrow money or take personal loans from any individual
24 without the prior approval of the probation officer.

25 You must maintain a single personal bank account,

1 separate and apart from your spouse, any family members or
2 others, into which all income, financial proceeds, and gains
3 must be deposited and from which expenses must be paid.

4 You must provide the probation officer with a signed
5 release authorizing credit checks and an accurate financial
6 statement, with supporting documentation, as to all your
7 sources and amounts of income, all your expenses, and any
8 business you own, in whole or in part.

9 You must provide the probation officer with access to any
10 and all business records, financial records, client lists, and
11 other records pertaining to the operation of any business you
12 own, in whole or in part, as directed by probation.

13 You must not be employed in any position that requires
14 licensing or certification by any local, state, or federal
15 agency without the prior approval of the probation officer.
16 You are specifically prohibited from practicing law without
17 prior approval of the probation officer. You must not
18 represent yourself as a private attorney general, a lawyer, an
19 attorney, a government employee, or a law enforcement officer.

20 You must disassociate yourself from the Common Law Office
21 of America, Mortgage Enterprise Investments, and Mortgage
22 Enterprise, and do not have any contact with any principals,
23 associates, and/or employees of these businesses. Should any
24 of your family members work for these businesses, you must
25 reside at a residence separate and apart from those family

1 members.

2 You must submit your person, property, house, residence,
3 vehicle, papers, or office to a search conducted by a United
4 States Probation Officer. Failure to submit to a search may be
5 grounds for revocation of release. You must warn any other
6 occupants that the premises may be subject to searches pursuant
7 to this condition. The probation officer may conduct a search
8 under this condition only when reasonable suspicion exists that
9 you have violated a condition of supervision and that the areas
10 to be searched contains evidence of this violation. Any search
11 must be conducted at a reasonable time and in a reasonable
12 manner.

13 So the reasons for the court's sentence are as stated in
14 its aggravating and mitigating circumstances. The court
15 certainly considered a total sentence of 360 months, but really
16 focussed on whether it should be consecutive or concurrent, and
17 in landing on the side that it's appropriate for just
18 punishment for it to be consecutive because of the similarities
19 and the consistency of him, even today apparently, continuing
20 in the behavior.

21 Further, to the extent that Mr. Williams has raised
22 challenges to the amount of the loss and so forth, the court
23 notes for the record that its sentence is actually below the
24 guideline range, and therefore, even if he is correct, which I
25 don't believe he is, in terms of the calculation of his

1 guidelines, it's clearly, you know, a sentence that reasonably
2 reflects both loss and his culpability. It's a significant
3 sentence, but if for some reason the calculations were
4 incorrect with regard to that, it's still well within I think
5 the veil of reasonableness.

6 Before I impose the sentence as stated, Mr. Yates, any
7 legal objections from the government?

8 MR. YATES: No legal objection from the government,
9 Your Honor.

10 THE COURT: All right. Thank you.

11 Mr. Williams, any legal objections before I impose the
12 sentence?

13 THE DEFENDANT: Yes. I'ma have Mr. Isaacson chime
14 in with the legal objections.

15 THE COURT: Mr. Isaacson, do you have any legal
16 objections that you want to state?

17 MR. ISAACSON: Your Honor, in terms of the legal
18 objection to the sentence, I don't. I believe it's -- under
19 the statute it is within your ability to impose the sentence,
20 yeah. Thank you.

21 THE COURT: Thank you.

22 All right. The court has considered the advisory
23 guideline computation and the sentencing factors under 18
24 U.S.C., Section 3553(a).

25 As I explain more fully in my assessment of the specific

1 aggravating and mitigating factors found in this case, I have
2 considered Mr. Williams's history and characteristics, as well
3 as the serious harm to our community caused by his offenses,
4 and the particular seriousness and gravity of those offenses
5 for those vulnerable in our community.

6 I have --

7 THE DEFENDANT: You did not consider that, though.

8 THE COURT: I -- so I have -- this is my time to
9 speak, Mr. Williams, and then I'm going to be asking you some
10 questions as to if you want me to make any recommendations for
11 the Bureau of Prisons.

12 I have read the letters received on behalf of
13 Mr. Williams. I have taken in testimony from two of his
14 witnesses here at the sentencing hearing. I believe his
15 sentence provides just punishment, and equally important, I
16 hope it serves as adequate deterrence to others.

17 I have considered the sentencing guidelines and the
18 policy statements and the law.

19 All right. So, Mr. Williams, do you want the court to
20 make any recommendations as to placement by the Bureau of
21 Prisons?

22 THE DEFENDANT: Yeah, to send me home because I
23 didn't commit a crime. They couldn't get not one person that
24 they said was a victim to come and speak at this hearing,
25 because they know that --

1 THE COURT: Do you want me -- I'm sorry. Excuse me,
2 Mr. Williams. Do you want me to recommend to Bureau of Prisons
3 placement in Texas, in that area, or -- when you say send you
4 home? Is it a geographic location?

5 THE DEFENDANT: So -- Atlanta.

6 THE COURT: Atlanta, all right. Because of family
7 relations in that area; is that correct?

8 THE DEFENDANT: That's correct. But I won't be
9 able -- I won't be able to do any prison time because I'ma get
10 this overturned before my Florida anyway.

11 THE COURT: Right. So, you know, you'll be serving
12 it after your Florida term of imprisonment.

13 But I will make the recommendation of designation to the
14 Atlanta area because you have family relations with regard to
15 that.

16 So you were convicted after a jury trial, Mr. Williams.
17 You do have the right to appeal your sentence as well as your
18 conviction and the manner in which your sentence was
19 determined.

20 However, there is a deadline for your notice of appeal to
21 be filed, and it has to be filed within 14 days of the judgment
22 of your criminal case, your conviction and sentence.

23 If you file later than those 14 days, you could be
24 determined to be too late and to waive or given up your right
25 to appeal.

1 Do you understand this?

2 THE DEFENDANT: I understand and comprehend.

3 THE COURT: Thank you very much.

4 Anything further, Mr. Yates, at this time?

5 MR. YATES: Nothing from the government, Your Honor.

6 THE COURT: All right. And, Mr. Isaacson, is there
7 anything that you need to place on the record?

8 MR. ISAACSON: Nothing from me. Thank you.

9 THE COURT: All right. Then I thank everyone --

10 THE DEFENDANT: Yes.

11 THE COURT: -- and we are in --

12 THE DEFENDANT: I want to place this on the record.

13 THE COURT: Well, we're --

14 THE DEFENDANT: I need to place this on the record.

15 THE COURT: We're actually done with the sentence
16 hearing now, Mr. Williams. So good luck to you on your appeal,
17 and we are now --

18 THE DEFENDANT: But I just want to place on the
19 record that all of you all are gonna pay for this, you gonna go
20 to jail for this --

21 THE COURT: You know, Mr. Williams? Mr. Williams?

22 THE DEFENDANT: -- 'cause this is not going to
23 be -- I'm not going to let you violate my rights like this
24 because it's going to -- you all going to --

25 (Defendant's microphone was muted.)

1 THE COURT: All right. Good day, everyone.

2 (Proceedings concluded at 3:13 P.M.)

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COURT REPORTER'S CERTIFICATE

I, DEBRA READ, Official Court Reporter, United States District Court, District of Hawaii, do hereby certify that pursuant to 28 U.S.C. §753 the foregoing is a complete, true, and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

DATED at Honolulu, Hawaii, December 4, 2020.

/s/ Debra Read
DEBRA READ, CSR CRR RMR RDR