



55 Merchant Street, Suite 3100
Harbor Court, Honolulu, Hawaii 96813

Honolulu (808) 537-2300 Facsimile (808) 523-7733
San Francisco (415) 659-9855 Los Angeles (213) 947-6262
San Diego (619) 677-6200 Toll Free: (888) dubinlaw

Writer's E-Mail: gdubin@dubinlaw.net
www.dubinlaw.net

ATTORNEYS LICENSED IN CALIFORNIA, COLORADO, HAWAII AND NEVADA

March 27, 2014

BY FACSIMILE

Timothy Moynihan,
Assistant Director,
Office of Professional Responsibility
U.S. Immigration & Customs Enforcement
Department of Homeland Security
Email: JointIntake@dhs.gov

Jocelyn Samuels,
Acting Assistant Attorney General
Civil Rights Division
Criminal Division
U.S. Department of Justice
Email: AskDOJ@usdoj.gov

RE: Malia Arciero v. Ryan Faulkner; Civil No. 14-1-0787-03 GWBC; Hawaii

Dear Mr. Moynihan and Ms. Samuels:

My office in Honolulu represents Ms. Malia Arciero, the Plaintiff in the above-entitled action, the Verified Complaint in which was filed by my client today and is herewith enclosed, which speaks for itself.

My client is in possession of highly incriminating evidence pertaining to the rogue operations of ICE in Hawaii, as a result of which she fears for her safety and for her life, she having already received threats of bodily injury and death.

The investigation by and intervention of your agencies and the protection of my client is therefore urgently needed.

For obvious reasons, it is far from clear who if any local officials here I can trust with this information.

Thank you for your expedited attention. I look forward to hearing from you as soon as possible.

Very truly yours,

A handwritten signature in black ink that reads "Gary Victor Dubin".
Gary Victor Dubin

GVD/o
enclosure

GARY VICTOR DUBIN 3181
FREDERICK J. ARENSMEYER 8471
RICHARD T. FORRESTER 9750
Dubin Law Offices
Harbor Court, Suite 3100
55 Merchant Street
Honolulu, Hawaii 96813

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2014 MAR 27 PM 12:59

S. TAMANAHA
CLERK

Telephone: (808) 537-2300
Facsimile: (808) 523-7733
Email: gdubin@dubinlaw.net
Email: farensmeyer@dubinlaw.net
Email: rforrester@dubinlaw.net

Attorneys for Plaintiff
Malia Arciero

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MALIA ARCIERO,

Plaintiff,

vs.

RYAN FAULKNER; DOES 1-10,

Defendants.

CIVIL NO. 14-1-0787-03 GWBC
(Other Civil Action)

MALIA ARCIERO'S VERIFIED
COMPLAINT; DEMAND FOR TRIAL
BY JURY; SUMMONS

MALIA ARCIERO'S VERIFIED COMPLAINT

Plaintiff Malia Arciero alleges as follows:

1. This Court has jurisdiction over this matter.
2. Plaintiff MALIA ARCIERO is a resident of the State of Hawaii.
3. Defendant RYAN FAULKNER is a resident of the State of Hawaii.
4. Special Agent RYAN FAULKNER of the U.S. Immigration and Customs

Enforcement ("ICE") of the Department of Homeland Security ("DHS"), formerly an

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

Clerk, Circuit Court, First Circuit

officer with the Honolulu Police Department, believed now to be the Head of ICE in Hawaii, has been stalking Malia Arciero for over fifteen years.

5. Ryan and Malia are both originally believed from Portlock, Oahu, Hawaii.

6. Malia started dancing at Golden Dolls, in Oahu, Hawaii, in 1997 when she was sixteen.

7. Ryan Faulkner knew Malia when she was a dancer at Golden Dolls and became obsessed with her at that time.

8. Ryan has a partnership with a notorious methamphetamine dealer known as Kawika Hew who is located in Kailua, Hawaii.

9. Ryan helps Kawika by arresting Kawika's rival drug dealers and buyers that owe money to Kawika. Ryan takes a small amount of the drugs and money as evidence while redistributing the majority of the drugs through Kawika.

10. Kawika helps Ryan by redistributing the meth and by providing information on other dealers.

11. Together, Kawika and Ryan distribute approximately ten pounds of meth per week.

12. In 2001, Malia started an escort service.

13. Ryan regularly called in to Malia's escort service, but Malia recognized his voice and therefore never agreed to provide any services to him.

14. Kawika regularly requested different young girls from Malia's escort service.

15. On occasion, Malia herself was requested to visit Kawika's lavish home for house parties or other social events.

16. At that time, Kawika told Malia that Ryan has been obsessed with her since she was a dancer at Golden Dolls.

17. Malia witnessed several of Kawika and Ryan's set-ups.

18. One such deal involved Kelly Anne Peacock, who is currently in the witness protection program, and Kelly's ex-boyfriend known as Maha, who is a notorious methamphetamine dealer.

19. Kelly, although dating Maha, was having intercourse with both Ryan and Kawika.

20. Kelly went to Kawika and Ryan after she and Maha got into a fight.

21. Kawika and Ryan convinced Kelly to bring them some of Maha's methamphetamine.

22. Kelly brought Ryan and Kawika forty pounds of methamphetamine.

23. Ryan took five pounds to use to "set up" other arrests while Kawika took the other thirty-five to sell so that Ryan and Kawika could split the profit.

24. After that deal, Malia helped Kelly start her own escort service at Ryan and Kawika's request.

25. Another example of Ryan and Kawika's business partnership was witnessed by Malia in 2008.

26. The United States Secret Service was investigating a counterfeit money operation.

27. Kawika and Ryan were using the counterfeit money to pay prostitutes.

28. Ryan and Kawika needed to set up different people and turn in a lot of guns in order to appease the Secret Service agents.

29. One of the individuals set up was Jessie Samuels.

30. Jessie owed Kawika money, so Kawika set Jessie up to get busted by Ryan by asking him to deliver some methamphetamine.

31. After Ryan arrested Jessie, Kawika told Jessie that he can get him out if he can bring in some guns and weapons.

32. Jessie asked Malia to bring in two hand grenades to Kawika's house.

33. After finding two hand-grenades, Malia went to Kawika's house where she met Dominique from the Secret Service.

34. Ryan and Kawika gave boxes of guns and weapons to the secret service in exchange for helping Kawika. Malia was arrested with her Sister Keke. He forced his informant, "J.W.", to call Malia.

35. Ryan entrapped Malia and Keke by having a friend of theirs call Malia to ask for help getting meth.

36. The entire arrangement was based on false pretenses by which Ryan arranged the entire transaction by prompting "J.W." his friend to seek meth while Ryan participated and listened in on the telephone call. He also texted Malia, pretending to be "J.W.".

37. Ryan abused his position to entrap Malia and Keke.

38. After Malia was arrested, Ryan was at the ICE headquarters and tells Malia that he has been "waiting for this for so long" and asked Malia if she wants to "have sex on ICE."

39. Malia was surprised at Ryan's immediate and overt sexual advances, but as a professional escort, she played along letting him think what he wanted: that she was attracted to him.

40. Ryan told Malia that she would not go to the Federal Detention Center ("FDC") and would "still be able to breathe outside air" as long as she did "whatever" Ryan wanted her to do.

41. The day after Malia's arrest was spent on interrogations, going over the names of everyone Malia knew as well as mapping out their residences and business locations.

42. Although the interrogations were done by many different people, Ryan told Malia not to tell them anything "good" because "I'm your handler and I own you, they don't own you."

43. Malia always did as Ryan asked her, so she gave Ryan all the information he requested while feigning ignorance with the other interrogators.

44. On the third day after Malia and Keke's arrest, Malia was presented with a typed confession and told she would have to sign it to be Ryan's informant or she would go directly to the FDC.

45. Malia told the officers that it was all incorrect and that none of it was true.

46. The officers told her that she needed to sign it and that she needed to cross out a couple things to make it look like she read it, but that it didn't matter because she would not be going to jail if she was working for Ryan as an informant.

47. When Malia started working for Ryan he immediately began sexual advances stating that he was her “master” and that she would need to do everything he asked of her if she didn’t want to go to the FDC.

48. At first, Ryan’s physical contact with Malia was limited to petting while Malia would ride up front in his car. Malia was later told by an FBI agent that Ryan’s conduct towards her was unusual and prohibited, but Malia had no way to know what Ryan’s limits were at that time as nobody seemed to be supervising him.

49. Ryan told Malia that Jonathan Loo, the federal prosecutor, was telling Ryan who they wanted to arrest, and that it was now Malia’s job to get close to them.

50. Malia’s first assignment was to find someone with a pound or more of meth.

51. She immediately went out looking for individuals selling methamphetamine, asking for samples and trying to set up a deal.

52. After bringing samples to Ryan, she eventually went to meet Shannon Peterson, recording the conversation on her iPhone.

53. After showing Ryan all of the text messages with Shannon and the recorded conversation, Ryan arrested Shannon and searched his apartment where Shannon had over \$200,000.00. Ryan pocketed the vast majority, only reporting a small fraction it.

54. Following that assignment, Malia helped Ryan arrest several drug dealers including Tracy Souza and many others.

55. While Malia’s proved herself by her strong performance as an informant to Ryan, Ryan became more controlling and sexual towards Malia.

56. Ryan required that Malia check in three times per day and meet at least three days per week in person, many times late at night where they would be alone.

57. When Ryan asked Malia to set people up for drug busts, it was not people that she knew, but a lot of dangerous people she did not know.

58. One such person was Patrick Blankenfield, a convicted felon and rapist.

59. Patrick Blankenfield is a very dangerous man who Malia was sure would kill her if he knew she was working for Ryan.

60. Ryan made Malia live with Patrick Blankenfield for over three months (she had to pay for the apartment) getting close to him to retrieve the specific information Ryan wanted. Malia got every piece of information Ryan wanted including a locker combination and she even told him when and where they could arrest him with certain paraphernalia.

61. However, Ryan did not want to arrest him until the circumstances were just right; so, Ryan gave Malia four ounces of methamphetamine and asked her to give it to him so Ryan could arrest him with it.

62. Malia was sure that Patrick Blankenfield would kill her if he found out she was setting him up, but she still did her best.

63. While Malia was risking her life to help Ryan, Ryan kept making sexual advances and wanting to meet late at night more.

64. Ryan began requiring that Malia call him "master" and he told her that she wasn't allowed to have intercourse with anyone because he "owned" her

65. Ryan was also testing to see how far he could push his leverage over her, constantly testing her to see how far she would go when he threatened to send her to the Federal Detention Center.

66. In late August of 2013 on a weekday, around 11 p.m., Ryan told Malia to meet him at the ICE headquarters.

67. He brought her into the storage room and handcuffed her to a table and said "you're being difficult, if you don't want to go to FDC you better stop being difficult."

68. Malia asked what he meant and asked what she could do better.

69. Ryan took out his penis and put it on her face.

70. Ryan forced Malia to give him oral sex while she was handcuffed to a table in the ICE headquarters.

71. Malia describes Ryan's penis as "two-toned," with the head being a different color than the base. Ryan's penis-head is pinkish, while the base is brown. The discoloration makes Ryan's penis look as though it has a skin problem, almost as if it were peeling. Malia also describes Ryan's penis as between seven and nine inches and narrow.

72. During early September 2013, Ryan told Malia that he will have her killed if she tells anyone about them.

73. After proceeding to rape Malia, Ryan requested more and more late night meetings and he became more and more controlling.

74. In September of 2013, Ryan left for a vacation and told Malia that she had better be a "good girl" and that she better not "fool around with anyone." He, for instance, arrested John Wilson because Malia was hanging out with him.

75. While Ryan was gone, Malia checked in with the other officers and was completely surprised at how little they required of her. After being under Ryan's complete control for so long, Malia started to realize that the abuse she was suffering at the hands of Ryan was not normal.

76. Before Ryan was on vacation he told Malia that "when I get back I'm going to fuck you in the ass, so you better get ready."

77. When Ryan got back from vacation he was all excited and kept trying to get Malia to meet him, but Malia was scared that she was going to be raped and sodomized and felt completely helpless.

78. Malia simply avoided Ryan's phone calls.

79. Ryan did not know how to take the silence and he began to panic thinking that Malia might be telling people what he had done and about his conduct.

80. Ryan arrested Malia making sure to "confiscate" Malia's cell phone and other electronic equipment that had incriminating text messages and recorded conversations between Ryan and Malia. Malia's iPad and cell phone had over 600 text messages between Ryan and her just during the months of July and August 2013 alone.

81. After arresting Malia, Ryan picked her and her sister Keke up and took them both to the Federal Courthouse, Ryan telling Malia that the Judge, Magistrate Puglisi, was just going to release her back to him.

82. Magistrate Puglisi, however, did not release Malia back to Ryan, and Ryan became extremely and visibly upset.

83. Despite facing jail time and confinement, Malia was relieved that she was not handed back over to Ryan, who seemed to be completely out of control.

84. Ryan then told Malia's Dad that Malia was "just going to do six months."

85. Ryan had told Malia that he was very friendly with Senior Pretrial Services Officer Alison Thom who he said would help her, and he, for instance, escorted Malia to Alison's office in the Federal Building, sneaking Malia in from the underneath garage without going through building security.

86. Malia told him at that time that she did not have any identification and Ryan told her that that was okay, that he would just bring Malia in that way and they went in from the underground parking lot while literally held Malia's hand and walked her up there and when we got up there, Ryan just walked right in and started talking to some lady there and he introduced Malia to her and said it was Allison.

87. Ryan told Malia that he had known Alison for a long time and then made Malia go into the office to see her first pretrial services officer at that time, David, and before Malia went in there Ryan sat himself down in the front area where the secretary's desk was and Malia saw Allison bring Ryan some Krispy Kreme doughnuts.

88. When Malia came outside shortly after, Ryan was sitting there in the chair still leaned back and had eaten the whole thing and had sugar all over his face and told Malia he couldn't resist. They then left together, with Malia feeling that Alison was going to help her because she was a good friend of Ryan.

89. Meanwhile, when Malia was arrested the first time, Malia had over \$7,000 cash on her and Ryan took that money, and the second time Malia was arrested she had close to \$3,000 cash on her and Ryan kept that money as well.

90. Attorney Mike Green was recommended by Ryan to Malia to be her criminal attorney, and at first he told Malia that he did not know “who the hell Ryan Faulkner was,” although Malia found out later that they have worked together for over ten years on many cases and that they were really close and chummy with each other.

91. Ryan then told Malia that nothing bad was going to happen to Malia if she kept Mike Green as her attorney and kept federal prosecutor Jonathan Loo happy; Ryan made it seem as if Jonathan Loo was his boss and was running the show behind the scenes and was the one who was making all of the final decisions in the end.

92. When Malia told Mike Green that she wanted to talk with the FBI, he told Ryan who became furious, and Mike Green prevented Malia from following up with the FBI.

93. Mike Green subsequently made arrangements for Malia to plead guilty with a lesser sentence to trafficking in meth without telling Malia to cover up for Ryan, especially since it is believed that law enforcement no longer has the drugs that Ryan entrapped Malia with but as usual Ryan has already sold them back on the street.

94. When Malia found out Mike Green’s conspiring with Ryan, Malia discharged Mike Green and retained new counsel for her criminal case.

95. Malia knows much more about how drugs are confiscated by ICE and local police officers and resold on the street while being protected by federal law enforcement officers than is detailed in this Complaint, and therefore remains fearful that she will be killed by Ryan to silence her, who has threatened to have her murdered in prison if she tells the truth about him and his colleagues and their criminal activities.

FIRST CLAIM

96. Based upon the facts as set forth above, Malia Arciero hereby alleges the tort of ABUSE OF PROCESS against Ryan Faulkner.

SECOND CLAIM

97. Based upon the facts as set forth above, Malia Arciero hereby alleges the tort of BATTERY against Ryan Faulkner.

THIRD CLAIM

98. Based upon the facts as set forth above, Malia Arciero hereby alleges RAPE against Ryan Faulkner.

FOURTH CLAIM

99. Based upon the facts as set forth above, Malia Arciero hereby alleges SEXUAL ASSAULT against Ryan Faulkner.

FIFTH CLAIM

89. Based upon the facts as set forth above, Malia Arciero hereby alleges FALSE IMPRISONMENT against Ryan Faulkner.

SIXTH CLAIM

90. Based upon the facts as set forth above, Malia Arciero hereby alleges CIVIL EXTORTION against Ryan Faulkner.


SEVENTH CLAIM

91. Based upon the facts as set forth above, Malia Arciero hereby alleges being a victim of ORGANIZED CRIMINALITY pursuant to Section 842-8 of the Hawaii Revised Statutes against Ryan Faulkner.

WHEREFORE, Plaintiff Malia Arciero prays for judgment against Defendant Ryan Faulkner for such damages as follows:

- A. Actual, Treble, and Punitive Damages;
- B. Emotional Damages;
- C. Special Damages to be proven at trial;
- D. General Damages to be proven at trial;
- E. Injunctive relief;
- F. Costs and attorneys fees in an amount to be determined by the Court;
- G. For such other and further relief as deemed just and proper by the Court.

DATED: Honolulu, Hawaii; March 27, 2014.



GARY VICTOR DUBIN
FREDERICK J. ARENSMEYER
RICHARD T. FORRESTER
Attorneys for Plaintiff
Malia Arciero

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MALIA ARCIERO,

Plaintiff,

vs.

RYAN FAULKNER; DOES 1-10,

Defendants.

CIVIL NO. _____

DEMAND FOR TRIAL BY JURY

DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff and hereby demands trial by jury on all Claims set forth herein.

DATED: Honolulu, Hawaii; March 27, 2014.



GARY VICTOR DUBIN
FREDERICK J. ARENSMEYER
RICHARD T. FORRESTER
Attorneys for Plaintiff
Malia Arciero

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MALIA ARCIERO,

Plaintiff,

vs.

RYAN FAULKNER; DOES 1-10,

Defendants.

CIVIL NO. _____

VERIFICATION

VERIFICATION

I, MALIA ARCIERO, DECLARE:

1. I am the Plaintiff in this action, and I make the within statements based upon my own personal firsthand knowledge.

2. The factual allegations set forth in the Complaint herein are true and correct based upon my personal knowledge.

I declare under penalty of law that the foregoing is true and correct. Executed at Honolulu, Hawaii, on March 27, 2014.



MALIA ARCIERO

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MALIA ARCIERO,

Plaintiff,

vs.

RYAN FAULKNER; DOES 1-10,

Defendants.

CIVIL NO. _____

SUMMONS

SUMMONS

STATE OF HAWAII

To the Above-Named Defendant RYAN FAULKNER:

You are hereby summoned and required to file with the Court and to serve upon Gary Victor Dubin, Frederick J. Arensmeyer, and Richard T. Forrester of the Dubin Law Offices, Plaintiff's attorneys, whose address is Harbor Court, Suite 3100, 55 Merchant Street, Honolulu, Hawaii 96813, an Answer to the Complaint which is herewith served upon you, within 20 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This Summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the general public, unless a Judge of the above-entitled court permits, in writing on this summons, personal delivery during those hours.

A failure to obey this Summons may result in an entry of default and default judgment against the disobeying person or party.

DATED: Honolulu, Hawaii; MAR 27 2014.

S. TAMANAHA

CLERK OF THE ABOVE-ENTITLED COURT

