**03-18-2016**

**United States Attorney's Office
300 Ala Moana Blvd., #6-100
Honolulu, HI 96850**

**florence**.**nakakuni**@**usdoj**.**gov** .

**Attention: The Honorable** Florence T. Nakakuni

Ms. Nakakuni,

My name is Jim Benish, you don’t know me and I do not live on the Hawaiian Islands but I am a United States Citizen. I am also a retired homicide detective author and freelance journalist. I am writing this on behalf of two people I came into contact with while investigating the murder of 4 yr old Lacey Woolsey Ruff in Kauai. Lacey was murdered in 1993 before I retired . Her murder was committed by two young men who were persons of interest in the murder of another little girl, 7 year old Tracey Neef in Thornton Colorado in 1984. I developed a suspect in the Neef cold case case back in 93 but there just was not enough to make a case against him and then I retired. I never forgot that case and in fact wrote a book about it. “Closed Eyes, Who’s Killing our Children”

As I mentioned, I am a writer now and I live it. I will try to keep this short and to the point, but without control I could literally write a book to you about the reason I send this message to you personally, so please bare with me.

As I mentioned I’m am retired, I am also an old guy, almost 70 and make my home in Mexico. I am able to have a comfortable life here and conduct my writing and everything else via the internet. (Wish I had this type of tool when I was a police detective.) But the internet is a double edged sword. Federal, State and Local agencies have literally taken the human aspect of their profession and out of crime reporting and investigation. Its seems its much easier and safer to defer everyone to the internet and force them to literally wade through pages and pages of web sites just to find a phone number to a real person. It’s like a road block to positions of responsibility and accountability. Reporting a crime or speaking with someone of authority on the telephone is almost impossible and even if you finally fill out the form and mail it in or speak with some phone answerer, in some cases it’s the last you ever see or hear about your complaint.

 So having detective genes in my body, I found your direct email (About an hours work.) Please forgive my intrusion . You might not know the information you may get if you post emails on your web page. I can personally attest to this because the simple act of writing a book about a murder and positing electronic “contact me” links has preempted this message to you.

After the book was published over the years I was slowly but sometimes suddenly contacted by people all over the United States, frustrated with the negative responses they received from all types of law enforcement agencies primarily in Hawaii. It’s pitiful that their hope for closure or any kind of justice is sending an email to the likes of me. One person emailed me that an FBI agent told them that although they had a case worth investigating, they were not permitted to investigate anything but a terrorism issue. Terrorism? Is this a joke? It’s a terrorists best case scenario that our resources are dedicated to investigating some guy and his wife who shoot people on weekends or after work while the real terrorists ravage, pillage and steal from US Citizens with the blessings of our Court system in the knowledge that the Fed’s are “too busy” to notice them. They do not respect or fear any legal authority. I think you know why. These people commit white collar crimes in Hawaii, by walking all over our Constitutional and civil rights because they are protected from scrutiny and even if the evil head of scrutiny does appear, they fear not. I can only wonder in awe who decides what the priorities for justice are in this country. Is the justice system protecting the people or the institutions?

Back to the reason for this letter. In late December as a US Citizen and based on my knowledge and prior investigation into the Murders of Lacy Ruff and Tracy Neef, and armed with countless allegations of corruption in Hawaii I presented an affidavit to Judge Michael Seabright for the activation of a Criminal Federal Grand Jury. I knew it was not going to be wise to ask for a County Grand Jury. You can access this affidavit at <http://codeforeblog.com/wp-content/uploads/2015/12/Affidavit-12-10-15-for-distribution-only..pdf>

About two weeks later on December 29th, 2015 I received a letter from the Federal District of Hawaii clerk that no action on the request would be taken and if I didn’t go to the clerk’s office and pick up the documents they would be destroyed. This is what happens in a bureaucracy so I sent an email directly to Judge Seabright. A week after the email on January 18th 2016 I received a voice mail from Judge Seabrights clerks that the information would in fact be given to the Grand Jury. This affidavit alleged Criminal violations going all the way back to 1993 and continued to present day. The violations were primarily for Murder and violations of the Rico Act supported by numerous other Federal violations of the constitution, constitutional amendments and Federal Court Rules. Its possible you are already aware of this because of recent media interest or contact with Judge Seabright.

An individual Hawaii private attorney who is a pillar in an alleged criminal cartel is Paul Sulla Jr. Mr. Sulla has made a long career of pruning local authorities, police departments and Judges who apparently in turn look the other way and even enable Sulla as he literally steals assets from the weak and powerless under the auspice of civil authority in the court system. In one case the court even acknowledged his documents as fraudulent but continued to rule in his favor.

 Its amazing to me that crimes can actually be committed in a civil court and the criminal who is an attorney continues and prevails. Do not the Circuit Judges acknowledge the existence of crime in their courts? Do not they have an obligation to at least make a crime complaint in the name of the people ? Apparently not, for Civil courts are Civil and Criminal courts are criminal and never their paths shall cross?

The two people I mentioned in the first paragraph of this letter are Leonard Horowitz and Sherri Kane. Before I became involved in the whole Hawaii business, they had complained to the FBI that Sulla had committed fraud and were told that it was a civil matter They complained to the Justice Department and were told that the statute of limitations had expired for Civil Complaints against Mr. Sulla.

Hogwash. Sulla is trying to take possession of their property as I write this. There are other victims who’s incidents are clearly past the statute of limitations but the Horowitz case is not. All of these victims are listed in the criminal case and I believe that Sulla and the other private attorneys are aware of the Grand Jury proceedings that could potentially put them in prison but continue even to today to exercise their fraudulent activities. Why?

So Ms. Nakakuni, I am asking you to initiate an investigation under your Civil authority into the activities of Mr. Paul Sulla Jr. and possibly immediately put a stop to the taking of the Horowitz/Kane home in Hawaii. The Circuit Courts that you would think would be the point in our system where this type of activity is stopped, is broken and has been corrupted. Mr. Horowitz and Ms. Kane are being bled to death financially and their ability to hold on to their home and the hundreds of thousands of dollars they have invested is almost at an end with no justice or relief in site. They have an attorney, Margaret Wille who happens to be a Hawaii Council woman, is not only in this a bit over her head, but is fearful that those in the political local cartel will seek revenge or contrition that might cause her personal financial harm. I do not hold blame for her pause.

I have included as attachments a copy of a very recent letter sent by Margaret Wille to Judge Melvin Fujino. This letter is just a small example of how the Circuit court continues to enable Sulla. Lawyer Whittaker (who is also named as a defendant in the Criminal Grand Jury allegations) represents a person named Jason Hester who according to Sulla is the owner of the property. Whittaker who represents Hester and is no doubt being paid by Sulla not only denied there was a time stipulation on one of the documents to be filed, but in fact didn’t file the document on time yet the Judge ignored Wille’s objection and continued the proceedings. Sulla is careful not to put his name on proceedings like this and in this case has veiled his identity and interest in this property using this person Jason Hester who rarely if ever appears in court on his own behalf. Sulla has protected his interest in the property by making a personal loan to Hester in the amount of $50,000 secured by the property. Everyone including the Judge knows that Hester is the left arm of Sulla and has never provided the court with proof of the actual exchange of $50,000.00. Sulla has gone to great lengths including alleged and acknowledged forgery to get the title out of Horowitz’s name and into Hester’s name.

After getting to know Len Horowitz and Sherri Kane I have seen that their quest to keep what is theirs from the hands of Mr. Paul Sulla has resulted in their desperation and despair. They are two very intelligent people who cannot overcome the expertise of Paul Sulla Jr’s legal maneuvering and fraud and they can no longer afford an attorney who is as ruthless as Mr. Sulla. Its possible that none exist. Mr. Horowitz and Ms. Kane have become people who are changed from the time they purchased the Hawaii property until now. Mr. Horowitz is a well known Dentist and a renowned author and authority on natural healing. Sherri Kane is his soul mate confidant and assistant. These two successful people who once believed in their country and the Republic that they treasure have become nervous and eccentric. They immediately assume that when their story about Paul Sulla Jr is told, they are without question disbelieved. They feel they are written off as people who voice the unbelievable or the untrue. Sherri has become physically ill. Leonard works harder to pay the constant ever growing legal bills and now they have a piece of paper on the fence that surrounds their home It’s the paper they have had nightmares about. A paper that is derived from fraud and lies and even possibly murder. It’s the paper that says they have lost their precious home in Hawaii. In their view they are being removed from their home by the same government that was created to prevent this from happening to US Citizens.

If and when someone from your office contacts them, please do not discard their extreme and sometimes loud efforts to convince you that what they say is the truth. They have been telling people their story for years and to to avail. They will go through the motions once again, but in their hearts they have given up on the system and I don’t blame them. They hang their hat on me because I believe them and there is no one else left for them. I know how the system works and doesn’t work. I know that you are mandated to investigate this matter no matter what political priorities have fallen on your desk. Judge Seabright did the right thing and I expect that you, Ms. Nakakuni will also take the high road. Your civil options are unique and give you abilities that do not exist in the criminal arena.

In all due respect to you the specific allegations can be seen using the affidavit link or some are as follows:

 USC Title 18 242 Deprivation of rights under Color of Law

 Title 18 US Code 242 Deprivation of Rights under color of law

 Title 18 US Code 241 Conspiracy against rights.

 Violation USC Title 42 14141

 USC Title 18, Chapter 96 RICO

 USC Title 18 1956 or 1957 Money Laundering.

You can contact me at codefore@yahoo.com or 619-591-8801.

You can contact Sherri Kane or Leonard Horowitz at 808 946 6999 310 877 3002

Sherrikane@gmail.com

Respecfully,



James D. Benish