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UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 25- CR 25-00099 LEK
Plaintiff,)	[18 U.S.C. §§ 1343, 1957, and 1512(c)(2)]
vs.	
PATRICIA JOHNSON aka "Trish",)	
Defendant.)	

INDICTMENT

The	Grand	Jury	charges
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General Allegations

At all times relevant to this Indictment:

The Defendant and the Kona Coffee Cafe

- PATRICIA JOHNSON aka "Trish," the defendant, formerly Patricia 1. Merschdorf (hereinafter "JOHNSON"), was a resident of Kailua-Kona, Hawaii (hereinafter "Kona"). JOHNSON solely owned and operated a Kona coffee business for approximately thirty years. She operated the business in Kona out of her residence, a retail store, and storage in various locations.
- 2. As part of her coffee business, JOHNSON was the sole owner of Kona Coffee Café (hereinafter "KCC"). JOHNSON operated KCC since the 1990s. The KCC retail store was located in a shopping center on the oceanfront in Kona on Alii Drive.
- KCC advertised and purportedly sold only 100% Kona coffee. The 3. Kona coffee was roasted and sold in bags of various sizes, such as one- and fivepound bags. KCC also sold flavored Kona coffee, such as vanilla and hazelnut, and "green" Kona coffee beans, upon customer request. KCC primarily purportedly sold 100% Kona coffee in the forms of coffee beans, drinks, and chocolate covered beans. Customers could pay for their purchases with cash or credit card. Customers patronized KCC and bought coffee directly from the retail store, paid to have the coffee they purchased shipped to addresses around the

world, and/or joined KCC's coffee club where they received emails and could order additional coffee online.

- 4. JOHNSON controlled the activities at KCC. She had video cameras set up around KCC to monitor the store and employees at any time. If JOHNSON observed something she did not like, she reprimanded employees through the voice feature in the video cameras, text messages, and telephone calls.
- 5. JOHNSON also operated an online store for KCC using a website where customers could purchase Kona coffee at buykonacoffeeonline.com. All the coffee available to purchase online was advertised as 100% Kona coffee, generally in the same varieties as sold at KCC's retail store.

Amazon Coffee Sales

6. From at least in or around August 2014 through in or around July 2023, JOHNSON also offered coffee available to purchase through the Amazon sales platform using the merchant name Patricia Merschdorf/Kona Coffee Café. All the coffee available to purchase through Amazon was advertised as 100% Kona coffee.

Banking and Safe Deposit Boxes

7. JOHNSON was a signatory on a business bank account for KCC at Financial Institution 1. JOHNSON opened this account in 1995. JOHNSON had credit card sales from KCC and Amazon deposited directly into the business

account and directed transfers of PayPal sales from the online website into the business account. Funds in the business account represented proceeds of JOHNSON's coffee business. A portion of these funds were transferred from the business account to JOHNSON's various personal accounts at Financial Institution 1 to pay personal expenses. In April 2024, law enforcement seized approximately \$93,601.96 from the business bank account.

8. Since in or around 1996, JOHNSON maintained multiple safe deposit boxes at Financial Institution 1. In April 2024, law enforcement seized approximately \$746,431 in cash from a search of her safe deposit boxes.

Kona Coffee Industry

- 9. Kona coffee is grown on the slopes of Hualalai and Mauna Loa within approximately 30 miles of the North and South Kona districts on the Island of Hawaii. It is renowned for the volcanic conditions that affect the acidity of the coffee. Tourists from all over the world visit Kona with the expectation to purchase and consume Kona coffee, which cannot be grown anywhere else in the world.
- 10. Only coffee grown within the Kona district qualifies as "Kona coffee." Robusta coffee beans are the only type of bean that, if grown in Kona, will not be considered Kona coffee. Put another way, coffee grown outside of Kona but roasted in Kona is not Kona coffee. The price of Kona coffee beans and

Kona coffee is generally significantly higher than foreign (non-Kona) coffee and coffee beans.

- 11. According to the Hawaii Department of Agriculture, the label of "100% Kona Coffee" is given to coffee that solely contains Kona-grown coffee beans without the addition of another type of coffee bean. While Kona coffee can be blended with foreign grown coffee beans, it must be labeled as a mixture or blend with the designation of the percentage of Kona coffee added to that mixture. During the time frame of the wire fraud scheme, Kona coffee blends could be labeled as 10%, 25%, or 40% Kona coffee, for example.
- 12. Most coffee is sourced from or sold as "whole bean," which means that a coffee bean is one of the two seeds of a coffee cherry. "Peaberry beans" occur from a natural mutation where only a single seed forms inside the coffee cherry. Peaberry beans are smaller and rounder than whole bean coffee. This distinct characteristic, combined with the extra effort to hand sort and process peaberry beans, contributes to its specialty status. Approximately 5% of all coffee grown in the world is considered peaberry coffee. Because of its scarcity, peaberry commands a premium price.

The Coffee Process

13. The coffee production process involves several steps: cultivating, processing, milling, roasting, grinding, and brewing. JOHNSON bought dried

beans known as green coffee beans, which have been milled to remove any remaining layers of parchment on the beans. At that stage, the quality and size of the bean can be determined and will affect the price point. Thereafter, roasting involves transforming the chemical composition of the green beans so the beans are suitable for brewing. The roast quality and profile (light to dark) can vary widely.

JOHNSON's Scheme to Defraud

- 14. Beginning on a date unknown, but by at least in or around October 2012 and continuing to in or around April 2024, in the District of Hawaii and elsewhere, JOHNSON knowingly devised and intended to devise a scheme and artifice to defraud customers and potential customers, and to obtain money and property by making materially false, fraudulent, and misleading representations by advertising, labeling, and selling coffee described as "100% Kona" when in fact JOHNSON knew that the coffee was not 100% Kona coffee.
- 15. JOHNSON sourced foreign (non-Kona) coffee beans from at least two wholesalers in Washington and California. She labeled and advertised foreign coffee as "100% Kona" and sold it to customers through KCC, her online store, and Amazon. JOHNSON also specifically told customers and others, and instructed her employees to tell customers, that her coffee was 100% Kona coffee. Customers relied on these false and fraudulent representations and would not have

purchased the products or would not have paid the price for 100% Kona coffee had they known JOHNSON was not, in fact, selling 100% Kona coffee.

16. As a result of the scheme, JOHNSON fraudulently obtained millions of dollars in revenue from coffee sales for coffee advertised, labeled, and sold as 100% Kona coffee when it was not.

The Manner and Means of JOHNSON's Scheme to Defraud Johnson's Purchase, Delivery, and Roasting of Foreign Coffee Beans

- 17. In furtherance of the scheme to defraud, JOHNSON ordered and purchased foreign coffee from Foreign Coffee Wholesaler 1, based in Seattle, Washington, and Foreign Coffee Wholesaler 2, based in the Oakland, California area. Foreign Coffee Wholesalers 1 and 2 are wholesale companies that sell green coffee beans grown in regions throughout the world. Green coffee beans are stored in 100- to 150-pound burlap sacks that indicate the origin and other information about the coffee's source by printing on the face of the sack.
- 18. In or around November 2012, JOHNSON purchased El Salvadorean peaberry green beans from Foreign Coffee Wholesaler 1 for "KCC" that she had shipped to her Kona residence.
- 19. From at least in or around October 2012 through in or around March 2024, JOHNSON purchased approximately 194,515.45 pounds of foreign green coffee beans from Foreign Coffee Wholesaler 2. JOHNSON purchased green

coffee beans from coffee-growing regions such as Brazil, Colombia, Costa Rica, Guatemala, Java, Mexico, Nicaragua, Papua New Guinea, Peru, and Timor. Of the coffee beans purchased by JOHNSON from Foreign Coffee Wholesaler 2, approximately 68,167.44 pounds were peaberry beans. None of the beans that JOHNSON purchased from Foreign Coffee Wholesaler 2 were Kona coffee beans. From in or around October 2012 to March 2024, JOHNSON paid Foreign Coffee Wholesaler 2 approximately \$494,029.49, primarily in wires from KCC's business bank account ending in -2787.

20. JOHNSON regularly communicated with Foreign Coffee Wholesaler 2 and put in orders for foreign green coffee beans multiple times per year.

JOHNSON emailed Foreign Coffee Wholesaler 2 to request orders. Between March 31, 2021 and April 1, 2021, for example, JOHNSON exchanged the following emails, in pertinent part, from her Gmail account: "Aloha! I'd like to place an order for MacPie. What would be the price on three decaf, 18 Colombian and 18 Peaberry? . . ." Foreign Coffee Wholesaler 2 responded, "Sadly, we don't have any more New Guinea Peaberry available, but we do have Kenya PB [peaberry], however, I don't think we are allowed to send African coffee to Hawaii... Is there something else you can use instead of Peaberry?" JOHNSON responded: "Oh no. I have to have Peaberry to do chocolates. When will you be getting in the other Peaberry. I don't know anything about what you can or can't

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send to Hawaii. But I am in desperate need a praberry." Foreign Coffee Wholesaler 2 responded: "I was able to find 18 bags of Timor Peaberry for you, very similar to the PNG and priced well at \$2.69/lb. Sound good?" JOHNSON replied: "OMG you are the best. I want to make 2 separate wire transfers so they are not over the \$10,000 and you have To fill out papers at the bank."

- 21. As part of her scheme to defraud, and in an effort to conceal her foreign coffee purchases, JOHNSON changed the business name on her account with Foreign Coffee Wholesaler 2. In July 2018, JOHNSON changed the business name on the account from "Kona Coffee Café" to "Mac Pie." In September 2023, JOHNSON changed the account to add the name of Person B without his knowledge, an individual known to JOHNSON who was not part of KCC, and changed the business name on the account to "dba Limited Editions," which was a clothing business that JOHNSON owned that had nothing to do with coffee.
- 22. JOHNSON used and paid multiple shipping and delivery companies to move the foreign green coffee beans that she purchased from the mainland to the Kona area where she lived and KCC operated. Shipping Company 1 was based in Utah. From 2012 through 2024, JOHNSON had Shipping Company 1 arrange to pick up the pallets of foreign coffee beans from Foreign Coffee Wholesaler 2 in California, arrange to fumigate the beans, and arrange to ship them to Kona. JOHNSON then used and paid multiple delivery companies to move the pallets of

foreign green coffee beans from the port to her Kona residence and other storage locations in the Kona area. At various times throughout the scheme, JOHNSON emailed with Shipping Company 1 and others and instructed them to avoid the agricultural department once the foreign green coffee bean shipments arrived in Hawaii.

- 23. JOHNSON used and paid multiple people to move the pallets of large burlap sacks of foreign green coffee beans off the delivery trucks, from storage to her residence, and to and from roast locations.
- 24. JOHNSON used and paid multiple individuals to roast the coffee that she sold in her coffee business. Some of the individuals who roasted coffee for JOHNSON suspected that the coffee was from a foreign source and not from Kona, based on the information on the coffee's burlap sacks.

Johnson's False and Misleading Labeling and Packaging of Foreign Coffee Beans as 100% Kona Coffee

25. In furtherance of the scheme to defraud, starting on a date unknown, but by in or around March 2012, JOHNSON approved the designs for, ordered, and purchased labels for the coffee bags she sold in her business from Label Company. The coffee labels stated: "100% PURE KONA COFFEE" from "KONA COFFEE CAFÉ." JOHNSON used these labels on the coffee she sold when she knew the coffee was not 100% Kona coffee.

26. Primarily in the garage of her residence, JOHNSON, and others

JOHNSON employed or asked to assist her, labeled, bagged, flavored, and ground
the coffee JOHNSON purchased from Foreign Coffee Wholesalers 1 and 2. After
the coffee was roasted, bagged, and labeled as 100% Kona coffee, JOHNSON had
the coffee transported to KCC for sale or shipped out to customers who had made
purchases.

Johnson's False Advertising and Sales of Coffee as 100% Kona Coffee

- 27. In furtherance of the scheme to defraud, from at least in or around October 2012 to April 2024, JOHNSON advertised that all the coffee she sold at KCC was 100% Kona coffee when JOHNSON knew that it was not.
- 28. JOHNSON instructed and trained employees to tell other employees and customers that the coffee, including all the coffee beans, sold at KCC was 100% Kona coffee when JOHNSON knew that it was not. JOHNSON also directly told customers that the coffee sold was 100% Kona coffee when JOHNSON knew that it was not.
- 29. JOHNSON also instructed and trained employees to tell other employees and customers that many of the varieties of flavored coffee were flavored using local natural sources when JOHNSON knew that they were not.
- 30. JOHNSON created a manual with a script and trained employees about how to sell the coffee sold at KCC, including information about peaberry

beans and false information about the source of the coffee. Because peaberry coffee was sold at a higher price than other varieties of Kona coffee, JOHNSON encouraged KCC employees to sell peaberry coffee.

- 31. JOHNSON falsely told KCC employees, customers, and others that all the coffee was from a coffee farm in the Kona district located at a high elevation on the mountain. JOHNSON falsely explained that the farm was organic and private such that it did not suffer from the borer beetle infestation that had depleted coffee crops in the Kona region. Specifically, JOHNSON falsely stated that Person A owned the farm named "A" Farms.
- 32. Person A was an individual known to JOHNSON for decades.

 JOHNSON knew that none of her coffee was sourced from Person A or A Farms, despite what she told KCC employees, customers, and others. Person A and his family were long involved in the coffee industry. However, Person A had not had an operational coffee farm since in or around the 1980s and stopped coffee farming well over three decades ago. In the 1990s, Person A brokered some Kona coffee for JOHNSON for a couple of years. Then, in or around 2014, Person A provided JOHNSON with approximately five bags of off-grade Kona coffee that he had obtained. Otherwise, Person A has not sold or provided JOHNSON any Kona coffee. On occasion, Person A purchased coffee beans from JOHNSON. Person A did not believe those beans to be Kona coffee based on the low price JOHNSON

charged and the foreign origin indicated on the burlap sacks in which the coffee was stored at JOHNSON's residence.

- 33. In or around September 2012, JOHNSON was interviewed as the owner of KCC for a news article for her hometown. In the article, she falsely stated that KCC obtained the 100% Kona coffee it sold from Person A who owned A Farms.
- 34. On or about June 1, 2021, JOHNSON emailed Customer B and stated that "Our partnership is with [A] Farms."
- 35. On or about October 5, 2023, an undercover law enforcement agent ("UC1") went to KCC and purchased various types of bagged coffee. UC1 spoke to an employee who told UC1 that "Right here in [A] family farm. Okay. Seven generation Japanese farm. . . . But yeah, we only sell beans, everything from our farm. So we have a 188 acres So the coffee beans are grown on our farm, the Mac nuts, and we grow from cacao beans for the chocolate."
- 36. On or about November 6, 2023, an undercover law enforcement agent ("UC2") called KCC and spoke directly to JOHNSON. UC2 inquired about purchasing a substantial amount of coffee from JOHNSON and asked about where the coffee was sourced from. JOHNSON stated the coffee was 100% Kona coffee from "[A] Farms."

- 37. Even when the Kona coffee industry was suffering from reduced cultivation and availability of Kona coffee because of the borer beetle infestation and the coffee rust fungus, JOHNSON's supply of what she advertised as 100% Kona coffee for sale, including the peaberry variety, was not similarly depleted.
- 38. Since at least in or around 2012, JOHNSON operated an online coffee store through her Kona coffee website, buykonacoffeeonline.com.

 JOHNSON falsely advertised that KCC sold "100% Kona Bean Coffee and Not the Usual Blend" and "100% Pure Kona Coffee." JOHNSON further falsely advertised regarding KCC that "We specialize in a large assortment of pure Kona coffee drinks, including brewed coffee, espresso drinks . . . ," and "We are the only source for the 100% Pure Kona Coffee Decaf."
- 39. Customers paid for online coffee purchases using PayPal. The PayPal account was controlled by JOHNSON and the account name was Trish Merschdorf/Kona Coffee Café, and later changed to Patricia Johnson/Kona Coffee Cafe. JOHNSON directed the transfer of PayPal coffee sales into KCC's business bank account. JOHNSON, and others who assisted JOHNSON, shipped out online coffee purchases from JOHNSON's residence where the coffee was labeled and bagged.
- 40. From in or around August 2014 through in or around July 2023,
 JOHNSON sold coffee through the Amazon online platform. JOHNSON falsely

advertised and labeled the coffee as 100% Kona coffee. Customers purchased directly through Amazon. Amazon then made periodic disbursements to JOHNSON's business bank account for coffee sales. JOHNSON, and others who assisted JOHNSON, shipped out online coffee purchases from JOHNSON's residence where the coffee was labeled and bagged.

- 41. Based on JOHNSON's false and fraudulent representations that KCC, her online store, and her Amazon store were selling 100% Kona coffee, customers believed they were purchasing 100% Kona coffee and either would not have made the purchases or would not have paid such a premium price, had they known that the coffee was not, in fact, 100% Kona coffee.
- 42. In or around 2019, the State of Hawaii Attorney General's Office investigated allegations regarding KCC's mislabeling of Kona coffee. During the investigation, on or about June 16, 2021, JOHNSON was interviewed and provided false and misleading statements to the state investigator. Among other false statements, JOHNSON told the state investigator that she sold only 100% Kona coffee and purchased her coffee beans from coffee farmer Person A, whom she had been dealing with for approximately twenty-five years, and that those beans were roasted by Roaster A. According to Roaster A, JOHNSON had not roasted coffee beans with Roaster A for decades.

- 43. At times, JOHNSON sent and caused to be sent anonymous and harassing and threatening communications to KCC employees who quit or were fired. On one occasion, for example, when Former Employee 1 told JOHNSON she believed that the coffee was not what JOHNSON claimed it to be, JOHNSON threatened Former Employee 1 in various ways.
- 44. After a federal search warrant was executed on JOHNSON's residence and at KCC on or about April 17, 2024, JOHNSON changed her online website and Amazon sales platform from advertising only "100% Kona" coffee for sale to advertising "blends" with foreign coffee and Kona coffee for sale.
- 45. After the federal search warrant, with the assistance of Person C,

 JOHNSON began purchasing Kona coffee beans from Kona Coffee Farm 1. Prior
 to the search warrant, JOHNSON did not purchase any Kona coffee beans from
 Kona Coffee Farm 1.

Counts 1–16 Wire Fraud (18 U.S.C. § 1343)

- 46. The allegations contained in Paragraphs 1 through 45 of this Indictment are hereby realleged and incorporated by reference.
- 47. Beginning on a specific date unknown, but by in or around October 2012 through in or around April 2024, in the District of Hawaii and elsewhere, PATRICIA JOHNSON, the defendant, knowingly devised and intended to devise a scheme and artifice to defraud customers and potential customers, and to obtain money and property by means of materially misleading, false, and fraudulent pretenses, representations, and promises, and transmitted or caused to be transmitted by means of interstate wire, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, as set forth below, each transmission constituting a separate count:

Count	Approximate Date	Wire Description	
1	2/21/2021	Essail from IOINICONE Consil address to	
1	3/31/2021	Email from JOHNSON's Gmail address to	
		Foreign Coffee Wholesaler 2 to order foreign grown coffee beans as "MacPie"	
2	4/6/2021	\$7,229.73 wire signed by JOHNSON from KCC	
		bank account ending in -2787 to Foreign Coffee	
		Wholesaler 2 for purchase of foreign grown	
		coffee beans	
3	4/8/2021	\$319 payment to JOHNSON's PayPal account	
		from Customer A for coffee purchased on	
		JOHNSON's Kona coffee website	

Count	Approximate Date	Wire Description		
4	6/1/2021	E-mail from JOHNSON's Gmail address to		
		Customer B who had challenged JOHNSON's		
		representations about 100% Kona coffee		
5	7/21/2021	Email from JOHNSON's Gmail address to		
		Label Company for ordering 100% Kona Coffee		
	,	labels		
6	7/28/2021	\$4,002.10 charge to JOHNSON's credit card		
		ending in -3840 from Label Company for		
		purchase of 100% Kona Coffee labels		
7	9/17/2021	\$82.90 charge to JOHNSON's credit card		
		ending in -4645 from Label Company for		
		purchase of 100% Kona Coffee labels		
8	9/21/2021	\$830.01 charge to JOHNSON's credit card		
		ending in -4645 from Label Company for		
		purchase of 100% Kona Coffee labels		
9	1/21/2022	\$9,725 wire signed by JOHNSON from KCC		
		bank account ending in -2787 to Foreign Coffee		
		Wholesaler 2 for purchase of foreign grown		
		coffee beans		
10	1/28/2022	\$9,250 wire signed by JOHNSON from KCC		
		bank account ending in -2787 to Foreign Coffee		
	PM: 00	Wholesaler 2 for purchase of foreign grown		
		coffee beans		
11	2/11/2022	\$5,152.11 wire signed by JOHNSON from KCC		
		bank account ending in -2787 to Foreign Coffee		
		Wholesaler 2 for purchase of foreign grown		
		coffee beans		
12	2/16/2022	\$127.76 charge to JOHNSON's credit card		
		ending in -1598 from Label Company for		
		purchase of 100% Kona Coffee labels		
13	4/28/2023	\$1,356.28 disbursement of sales revenue from		
		Amazon.com for merchant (Patricia		
		Merschdorf/Kona Coffee Cafe) to KCC's bank		
		account ending in -2787		
14	8/1/2023	\$24,658.87 wire signed by JOHNSON from		
		KCC's bank account ending in -2787 to Foreign		

Count	Approximate Date	Wire Description	
		Coffee Wholesaler 2 for purchase of foreign grown coffee beans	
15	11/6/2023	Telephone call between JOHNSON and Undercover Law Enforcement Agent 2 (UC2) who was located on the mainland	
16	3/6/2024	\$11,803.73 wire signed by JOHNSON from KCC's bank account ending in -2787 to Foreign Coffee Wholesaler 2 for purchase of foreign grown coffee beans	

All in violation of Title 18, United States Code, Section 1343.

Counts 17-21

Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity (18 U.S.C. § 1957)

- 48. The allegations contained in Paragraphs 1 through 47 of this Indictment are hereby realleged and incorporated by reference.
- 49. On or about the dates set forth below, in the District of Hawaii and elsewhere, PATRICIA JOHNSON, the defendant, knowingly engaged and attempted to engage in the following monetary transactions by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, namely the transfer of funds from PayPal to Financial Institution 1, such property having been derived from a specified unlawful activity, namely Wire Fraud, in violation of Title 18, United States Code, Section 1343.

Count	Approximate Date	Description of Transaction	Disposition of Funds	Transaction
17			D 't 1' t WGG'	Amount
17	1/5/2022	Funds withdrawal	Deposited into KCC's	\$17,000
		from JOHNSON's	business bank account	
		PayPal account	ending in -2787 at	
			Financial Institution 1	
18	11/2/2022	Funds withdrawal	Deposited into KCC's	\$13,000
		from JOHNSON's	business bank account	
		PayPal account	ending in -2787 at	
			Financial Institution 1	
19	12/15/2022	Funds withdrawal	Deposited into KCC's	\$18,000
		from JOHNSON's	business bank account	
		PayPal account	ending in -2787 at	
			Financial Institution 1	
20	4/1/2023	Funds withdrawal	Deposited into KCC's	\$11,000
		from JOHNSON's	business bank account	
		PayPal account	ending in -2787 at	
			Financial Institution 1	
21	6/6/2023	Funds withdrawal	Deposited into KCC's	\$14,000
		from JOHNSON's	business bank account	
		PayPal account	ending in -2787 at	
			Financial Institution 1	

All in violation of Title 18, United States Code, Section 1957.

Count 22 Obstructing an Official Proceeding (18 U.S.C. § 1512(c)(2))

50. In or around April 2024, in the District of Hawaii, PATRICIA JOHNSON, the defendant, corruptly obstructed, influenced, and impeded, and attempted to obstruct, influence, and impede, an official proceeding, namely a federal Grand Jury investigation of JOHNSON being conducted in the District of Hawaii, by directing Person C, a person JOHNSON believed was subpoenaed to

testify before the Grand Jury, to plead the Fifth in Grand Jury and told Person C that he would not have to attend Grand Jury if he asserted the Fifth.

All in violation of Title 18, United States Code, Section 1512(c)(2).

Count 23 Obstructing an Official Proceeding (18 U.S.C. § 1512(c)(2))

- 51. On or about May 2, 2024 and May 17, 2024, in the District of Hawaii, PATRICIA JOHNSON, the defendant, corruptly obstructed, influenced, and impeded, and attempted to obstruct, influence, and impede, an official proceeding, namely a federal Grand Jury investigation of JOHNSON being conducted in the District of Hawaii, by directing Person D, a person JOHNSON believed would be and was subpoenaed to testify before the Grand Jury, in substance and in part:
 - to plead the Fifth and telling Person D that "you can't answer one question"
 in the Grand Jury;
 - to "get everybody on the same page" and provide the same information to Person D's family members, whom JOHNSON believed had been subpoenaed to the Grand Jury;
 - to answer "I don't know," "I don't remember," "I just don't recall," and "somedays we even hardly make any money" when asked "how much does the store make" and "who does the envelope and the receipts" for the store; and

• "to write those things down so you have it" and "tell them all that" when JOHNSON provided Person D with false and misleading information to give to the Grand Jury and to JOHNSON's attorney, including information about Person F to get the attention on Person F and "get all the attention off of us," "get it on Person F," and "turn it all [on] him," so the false and misleading information could be presented to the prosecutor to end the Grand Jury investigation.

All in violation of Title 18, United States Code, Section 1512(c)(2).

Count 24 Obstructing an Official Proceeding (18 U.S.C. § 1512(c)(2))

52. On a specific date unknown, but in or around April or May 2024, in the District of Hawaii, PATRICIA JOHNSON, the defendant, corruptly obstructed, influenced, and impeded, and attempted to obstruct, influence, and impede, an official proceeding, namely a federal Grand Jury investigation of JOHNSON being conducted in the District of Hawaii, by directing Person B, a person JOHNSON believed was subpoenaed to testify before the Grand Jury, to plead the Fifth and told Person B that he did not have to say anything, did not have to answer any questions, and did not have to say anything about "coffee."

All in violation of Title 18, United States Code, Section 1512(c)(2).

First Forfeiture Notice

- 53. The allegations contained in paragraphs 1-47 of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).
- 54. The United States hereby gives notice to the defendant that, upon conviction of the offenses charged in Counts 1-16 of this Indictment, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Section 1343, alleged in Counts 1-16 of this Indictment, including but not limited to a sum of money equal to at least \$5,260,095.34 in United States currency and including but not limited to the follows:
 - \$5,801.40 in U.S. currency seized on April 17, 2024, from
 Kona Coffee Café business envelopes;
 - \$746,431 in U.S. currency seized on April 17, 2024, from
 JOHNSON's safe deposit box numbers 203, 308, 908, and 1608
 at Financial Institution 1 in Kailua-Kona, Hawaii;
 - c. \$93,601.96 seized from JOHNSON's business bank account

- dba Kona Coffee Cafe ending in -2787 at Financial Institution 1 in Kailua-Kona, Hawaii; and
- Johnson's residence located on Lewa Place in Kailua-Kona,
 Hawaii 96740.
- 55. If by any act or omission of the defendant, any of the property subject to forfeiture described in the preceding paragraph herein:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - has been commingled with other property which cannot be divided without difficulty,

the United States of America will be entitled to the forfeiture of substitute property up to the value of the property described above in the preceding paragraph, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Second Forfeiture Notice

56. The allegations contained in paragraphs 1-49 of this Indictment are realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 982.

- 57. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in Counts 17-21 of this Indictment, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a)(1), of any and all property, real or personal, involved in the violation of Title 18, United States Code, Section 1957, alleged in Counts 17-21 of this Indictment, and all property traceable to such property.
- 58. If by any act or omission of defendant, any of the property subject to forfeiture described in the preceding paragraph herein:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in the preceding paragraph, pursuant

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to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

DATED: September 25, 2025, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson

FOREPERSON, GRAND JURY

KENNETH M. SORENSON
Acting United States Attorney
District of Hawaii

REBECCA A. PERLMUTTER

Assistant U.S. Attorney

United States v. Patricia Johnson aka "Trish" Indictment

Cr. No. 25-

CR25-00099 LEK