

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

IN THE MATTER OF)	CASE NO. BLNR-CC-16-002
)	
Contested Case Hearing Re Conservation District)	
Use Application (CDUA) HA-3568 For the)	Quo Warranto
Thirty Meter Telescope at the Mauna Kea Science)	Demand of Jurisdiction
Reserve, Ka'ohē Mauka, Hamakua, Hawai'i)	
TMK (3) 4-4-015:009)	
_____)	

Name of Party: Brannon Kamahana Kealoha

DATED: 7/25/16 (previous date recognized 7/18/16)



(signature of Party or Lawyer)

Attachment 1 (7-21-2016)

AFFIDAVIT

QUO WARRANTO DEMAND OF JURISDICTION

Quo Warranto is the legal term for a writ (order) used to challenge another's right to either public or corporate office or challenge the legality of a corporation's charter.

When the authority of an official or corporation to take action is challenged, a Quo Warranto action may be used to demand that the right upon which they base the action be stated.

"(a) An action may be commenced under this article, in the name of the state, against the offending corporation, on the information of any person for the purpose of vacating the charter or annulling the existence of any corporation, other than municipal, whenever such corporation:

1. *Offends against any of the acts creating, altering or renewing such corporation;*
2. *Violates the provisions of any law, by which such corporation forfeits its charter, by abuse of its powers;*
3. *Has forfeited its privileges or franchises by failure to exercise its powers;*
4. *Has done or omitted any act which amounts to a surrender of its corporate rights, privileges and franchises; or*
5. *Exercises a franchise or privilege not conferred on it by law.*

(b) The judge of the circuit court, whenever he believes that any of the acts or omissions specified in subsection (a) of this section can be proved and it is necessary for the public good, must direct the district attorney to commence an action, or an action may be commenced without the direction of the judge on the information of any person giving security for the costs of the action, to be approved by the clerk of the court in which the action is commenced.

(c) Actions under this section must be commenced in the circuit court of the county in which the corporation has its principal office or, if it has no principal office, of any county in which it does business; or if it has no principal .

Declaratory Judgment On A Constitutional Issue/Violation

Per "...this Constitution for the United States of America," Article IV, section 4 "Section 4.

The United States shall guarantee to every State in this Union a **Republican Form of**

Government, and shall protect each of them against Invasion; and on Application of the

Legislature, or of the Executive (when the Legislature cannot be convened) against domestic

Violence.”

INTRODUCTION AND OPENING STATEMENT

NOW COMES, Declarant: **Brannon Kamahana Kealoha**, (Now Known as the Declarant),
with this Declaration of Challenge; **a Declaratory Judgment On A Constitutional Issue/
Violation in the form of a Quo Warranto**, in forma pauperis.

II. Jurisdiction of the “ one supreme Court”

All facts and allegations set forth in paragraphs 1 and 2 are incorporated herein in their entirety
by reference.

1. “...this Constitution for the United States of America” Article 1, Section 1, and Section 2,
clause 1.

Section 1.

The Judicial Power of the United States, shall be vested in **one supreme Court**, and in such
inferior Courts as the **Congress** may from time to time ordain and establish. The Judges, both
of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at
stated Times, receive for their Services, a Compensation, which shall not be diminished during
their Continuance in Office.

Section 2, clause 1.

The Judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution,
the Laws of the United States, and Treaties made, or which shall be made, under the Authority;---
to all Cases affecting Ambassadors, other public ministers and Consuls;-- to all Cases of admiralty
and maritime Jurisdiction;--- to Controversies to which the United States shall be a Party;--- to
Controversies between two or more States;--- between a State and Citizens of another State;---
between Citizens of different States;--- between Citizens of the same State claiming Lands under
Grants of different States, and between a State, or the

Citizens thereof, and foreign States, Citizens or Subjects.

III. Declaratory Judgment Issue Per "...this Constitution..."

All facts and allegations set forth in paragraphs 1 through 3 are incorporated herein in their entirety by reference.

3. Per "...this Constitution for the United States of America," Article IV, section 4, does "this Constitution" declare and create a Republican form of government or a Democratic form of government ?

IV. *in forma pauperis*

All facts and allegations set forth in paragraphs 1 through 7 are incorporated herein in their entirety by reference.

4. This Declarant points to "...this Constitution for the United States of America," Article 1, section 10, clause 1. **Section 10.** No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; **make any Thing but gold and silver Coin a Tender in Payment of Debts;** pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

5. This Declarant also points to P.L. 1, 48 Stat C 1.

6. This Declarant also points to the Federal Reserve Act of 1913, section 16, with the clear intent of the venue and use of Federal Reserve Notes: "Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are authorized. The said notes shall be obligations of the

United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.”

7. This Declarant also points to P.L.40, 40 stat L 411, section 5, subdivision (b) of the October 6, 1917 Act as it is written in P.L.1, 48 stat C 1. And, therefore, files this action *in forma pauperis* because of the lack of access to **“gold and silver Coin a Tender in Payment of Debts.”**

V. Quo Warranto Challenge

All facts and allegations set forth in paragraphs 1 through 9 are incorporated herein in their entirety by reference.

8. the RESPONDENT,, appears to be in violation of “...this Constitution for the United States of America,” Article 4, Section 4 by declaring our form of government to be under a “Democracy.”

9. This Declarant CITES THAT, under the Constitutionally , declared and mandated “...Republican Form of Government...” in compliance with “...this Constitution for the United States of America,” Article IV, section 4 in force before it was systematically destroyed by Franklin D. Roosevelt, and succeeding others. See the “TRAINING MANUAL } WAR DEPARTMENT, No. 2000-25 } WASHINGTON, November 30, 1928,” Section IX, Lesson 9 - “Representative Government” starting at paragraph 118 for a published and governmentally approved statement of the form of government for these United States of America. Roosevelt and others systematically took this manual out of circulation to eliminate any evidence of previous administration's written intent of the Founders of this nation.

Examine this manual for yourself to see what has been continually usurped, over the years, from the American People in Section IX, Lesson 9 starting at paragraph 118 and specifically in paragraph 121 as approved for publication by BY ORDER OF THE SECRETARY OF WAR: C. P. SUMMERALL, *Major General, Chief of Staff*. See the National records for the evidence of its publication.

VI. Statement of the Facts

All facts and allegations set forth in paragraphs 1 through 17 are incorporated herein in their entirety by reference.

10. "...This Constitution for the United States of America," Article IV, section 4, guarantees the States in this Union "a Republican form of government" and NOT a "democracy."

11. Franklin D. Roosevelt in 1933 publicly declared this government to be a "democracy" thereby violating "...this Constitution for the United States of America" with its guarantee of "...a Republican Form of Government" for the People of the United States of America.

12. Barack Obama has declared many times this is a "Democracy" on National TV.

13. Barack Obama being a constitutional lawyer must be aware of this fact ("...a Republican Form of Government"), but, yet, he declares this government to be a "Democracy" and pushes that/this form of government into other foreign nations.

14. This Declarant was a national, write-in candidate for the presidency in the election of November 6, 2012 under the Constitutionally mandated "Republican Form of Government."

VII. Conclusion

All facts and allegations set forth in paragraphs 1 through 14 are incorporated herein in their entirety by reference.

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAI'I

Contested Case Hearing Re Conservation
District Use Application (CDUA) HA-3568
for the Thirty Meter Telescope at the Mauna
Kea Science Reserve, Ka'ohē Mauka,
Hāmākua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Document title: Minute Order 13

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by the means indicated:

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