

**BOARD OF LAND AND NATURAL RESOURCES
HAWAIIAN KINGDOM**

IN THE MATTER of Contested Case Hearing Re)
Conservation District Use Application)
(CDUA) HA-3568 For the Thirty Meter)
Telescope at the Mauna Kea Science Reserve,)
Ka'ohe Mauka, Hamakua, Hawaii, TMK (3))
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Case No. BLNR-CC-16-002
Motion in support of the Temple of Lono's motion to vacate the Board's July 22, 2016, Minute Order No. 14

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DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Motion in support of the Temple of Lono's motion to vacate the Board's July 22, 2016, Minute Order No. 14

I Dwight J. Vicente file this motion in total support of the Temple of Lono's motion to vacate the Board's July 22, 2016, Minute Order No. 14 Denying Dwight J. Vicente's Motion to Disqualify Judge Riki May Amano, State of Hawaii Lack of Jurisdiction to Hear this Contested Case Hearing and to provide a period of ten days in which responses to that motion can be filed, and their accompanying Memorandum in Support of Temple of Lono's Motion to Vacate Ruling and Supplement Response Time, and their Memorandum in Support. It is my understanding that these motions are before the Hearing's Officer, not before the Board. So please vacate the July 22, 2016, Order No. 14. To understand my arguments, one must know the history of The NORTHWEST ORDINANCE of 1787. Read THE OLD NOETHWEST IN THE AMERICAN REVOLUTION, David Curtis Skaggs, on page 441, Origins of the American Colonial System, Jack E. Eblen. He calls the final product the Jefferson-Monroe-Dane Plan. Its basic ideas were to be applied more or less successfully in the United States possessions for over 175 years and its provisions were to lay the foundation for the governments of the thirty-one public lands states and Hawaii. President Monroe in 1820 sent Mr. John C. Jones to reside at the Sandwich Islands

in the capacity of “Agent of the U.S. for commerce and seamen”. Problem, The U.S. Constitution was adopted in 1791, Article 4 sec. 3 clause 2, brought that to an end. Congress power is limited to Article 5 of that Ordinance, the Ohio River Valley only. The U.S. Constitution Article 1 Sec. 8 Clause 3, applies only to the Indian Tribes in the 13 states. The Indian Tribes in the Ohio River Valley, U.S. Congress, has no power over them, Article 4 Sec. 3 Clause 2. The phrase Public Land, Whole and Half Blood, can be found in the Ordinance – Sec. 2. The Reciprocity Treaty 1875 was the means to place This Kingdom under that Ordinance, U.S. Citizens believed their rights under the U.S. Constitution was extended to this Kingdom. They moved in to stay, with the 1884 Homestead Act. S.B. Dole. They took up Arms, Honolulu Rifle’s. The 1887 Constitution was forced upon King Kalakaua, which gave European/American foreigners the right to vote and the amendment to the 1875 Reciprocity Treaty for Pearl River, to station the U.S. Navy in 1887. This violates Article 1 Sec. 8 Clause 17 U.S. Constitution, not to mention Article 1 Sec. 8 Clause 1, power to tax. On the morning of January 13, 1893, Queen Liliuokalani signed The LOTTERY BILL into Law. This is the reason U.S. Minister Steven’s stated for removing her by force. January 17, 1893, Queen Liliuokalani filed a formal Protest against Minister Steven’s, this Protest has yet to be heard in The U.S. Supreme Court, Article 3 Sec. 2 Clause 2, Original Jurisdiction but limited to only U.S. Minister Stevens, she did not know where to take her Protest. At about that time, January 17, 1893, Japan filed a formal Protest in response to the removal of Queen Liliuokalani by the U.S. military, also against The U.S., Japan ended up making a deal with that Military Oligarchy, to drop their Protest and in exchange the would be allowed to have their mail order brides sent over. This is how whole blood Japanese got to be born in this Kingdom and remain Japanese nationals even till today. January 17, 1893 The Executive Council, and The Advisory Council, stated their Proclamation, terminating The

Crown, and taking over, setting this Kingdom up for annexation to The U.S., Republic of Hawaii Constitution, Article 94, All existing Treaties authorized under the late Monarchy is hereby recognized, ratified and confirmed. The Reciprocity Treaty seven year term ended with this Kingdom in 1894 one of the conditions, it could continue until either Party, terminates that Treaty. The Provisional and The Republic of Hawaii, could not naturalize anyone. Read The Hawaiian Republic, 1894-1898 by William Adam Russ Jr. In 1897 all of the Kingdom's Treaties, with all the other Nation's end by term. The U.S. Citizen's in control, over this Kingdom, did a Treaty of Annexation, by Joint Resolution. The reason for this is because of the fact that, The Reciprocity Treaty continued. The U.S. Congress in 1900 created The Territory of Hawaii. In 1920 Congress created The Hawaiian Home Commission Act, in part this was to conceal the true title to the Crown and Government Lands, to try to stop, challenges like, 18 Haw. 640 Territory v. Kapiolani EST. The Territory of Hawaii in 1950, wrote the STATE Constitution. Landless, with no defined People, relying on The Reciprocity Treaty, to continue. Constitutional Convention of Hawaii – 1950, page 361, 5. Governor's Messages, No 1. Northwest Ordinance is the mean's, Asiatic Aliens could not be naturalize Federal taxes, imposed here, under The Northwest Ordinance Article IV. The Admission Act, Sec. 1 admitted into the union on an equal footing with the other states, this is not Article 4 Sec. 3 Clause 1, Sec. 4 of the Admission's Act, a Compact with the U.S., here again, it is because of that ORDINANCE. This violates the U.S. Constitution Article 1 Sec. 10 Clause 3. In 1950 the state constitution was written and nine years later the admission act of 1959 created the State of Hawaii. Is this because one of the qualification for the House of Representatives according to Article 1 Sec. 2 Clause 2 of the U.S. constitution you need to be a Citizen of that state for seven years and qualification for the Senate according to Article 1 Sec. 3 Clause 3 of the U.S.

constitution, you need to be a Citizen of that state for nine years? Then comes the question, when did The State of Hawaii come into being? In the Admission Act Sec. 7 b. (1) Shall Hawaii immediately be admitted into the Union as a State? Within the family of Nations, The State of Hawaii is unknown by any treaty, only the Hawaiian Kingdom is known within the family of Nations by treaty. The voter registration requirements are a Citizen of the United States of America, a legal resident of Hawaii, and be 18 years old by election day to vote. The State Constitution has two People's, Native Hawaiian by half blood and Aliens as the General Public, having no means to have its own Citizen's. As for the United States you are naturalize to one of the 13 States. The Hawaiian Home Lands/Public Lands are still defined as Crown and Government Lands as to what was ceded to the U.S. by the Republic of Hawaii in 1898 Treaty of Annexation. The 13 United States still occupy this Kingdom, is this because, the Reciprocity Treaty still exist? This Kingdom is not alone Japan, Germany, after WW II, and many others are also occupied by the U.S. military. Should a foreign Military be in your Country and or Colony, your country is being occupied. Should that be the U.S. Military, this is a Constitutional violation, this needs to be stopped. The Courts of the 13 U.S. has no Jurisdiction over this Kingdom, cases that's being cited deals only with the illusion commonly referred to the State of Hawaii, not this Kingdom. The U.S. flag has 50 stars and 13 strips, something doesn't add up. That is way there is so much confusion.

Dated: July 29, 2016

Under protest, All rights reserved,


Dwight J. Vicente

CERTIFICATE OF SERVICE

I, **Dwight J. Vicente** hereby certify that a true and correct copy of the foregoing **DWIGHT J. VICENTE MOTION TO DISQUALIFY JUDGE RIKI MAY AMANO (Ret.); STATE OF HAWAII LACK OF JURISDICTION TO HEAR THIS CONTESTED CASE HEARING** was served upon the following parties by the means indicated:

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DATED: this 29th day of July 2016.

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In Pro Se