

BOARD OF LAND AND NATURAL RESOURCES

HAWAIIAN KINGDOM

Contested Case Hearing RE Conservation)	CASE No: BLNR-CC-16-002
District Use Application (CDUA) HA-3568)	
for the Thirty Meter Telescope at the)	Living Heir/Proper Party/Petitioner
Mauna Kea Forest Reserve Proclamation)	Stephanie-Malia:Tabbada, MOTION
June 1909 renamed Mauna Kea Science)		TO VACATE ENTIRE PROCESS FOR
Reserve, Kaohe Mauka, Ahupua'a of Hamakua)		VIOLATION OF BLNR AND UNIVERSITY
HAWAIIAN KINGDOM, reidentified as)		OF HAWAII FIDUCIARY TRUST, RIGHTS,
TAX MAP KEY (3) 4-4-015:009)		RESPONSIBILITIES, BREACH OF
)	CONTRACT. ETC. MANDATED BY THE
)	LAW OF THE LAND

Aloha Ke Akua, God is Love!

Come now Living Heir/Proper Party/Petitioner, Stephanie-Malia:Tabbada, a living flesh, with the koko/geneaological umbilical cord to the aina created by Ke Akua, Hawaii (Ha, *the breath, Wai, water or source of life, I, relationship with God. HAWAII, THE BREATH OF LIFE FROM GOD*; whereby,

I. I am NOT a **CORPORATION** assumed by your laws of presumptions/assumptions inherited by the stroke of a PEN violating the *THE LAWS OF NATURE/NATIONS; ARTICLE 6 SEC. 2 The Constitution for the United states for America, TREATIES AND CONSTITUTIONS, **Treaties, a Compact entered into by Sovereigns for the welfare of the State, executed by the Authority for as long as the treaty is in force.** The **perfect rights and obligations remain in force and voided only by the consent of the (creators) sovereigns and NO other Nation may force it to to Act one way or another. Where did the state of Hawaii come in the picture? I am in agreement with Dwight J. Vicente's filing, Hawaiian Kingdom Exists!***

II. This quasi judicial proceeding per HRS 92-6, Contested Case is a "proceeding in which the legal rights, duties, or privileges of specific parties are required by law to be determined after an opportunity for agency hearing, HRS sec. 91-15. It is an Administrative agency's decision making or it is mandated by constitutional due process - if the person or agency seeking a contested case possess a property interest, as that interest is defined by the state constitution.

The question of of legal rights, duties, laws and parties for a particular "person or a group of people" ? My observance at the June 17, 2016 hearing is that the question of TO BE OR NOT TO BE came up. It's you are a person, BAR association member Licensed, or entity. All corporations for the purposes of the constitutional guarantees of equal protection of laws and Due Process a partnership, an estate, or other legal entity (artificial person or juristic person) and a WITNESS for the Hearings Officer. What part of this procedure pertain to the living beings? Who has standing at the table? The Hearings Officer PREMATURELY scheduled the hearings proceeding withut determining who has standing, who the witnesses will be, and so forth. With this, I am partially in agreement with Mr. Wurdeman, the Freitas's, Ms. Lee, and others.

I, Stephanie-Malia:Tabbada claiming my **Vested Rights**, is defined as a right that so completely and definitely belongs to, that cannot be impaired or taken away without consent. *"Brubaker v, Deere & Company., 2009 US. Dist. Lexus 102419 (S.D. Iowa Oct. 16 2009);*

A right belonging so absolutely, completely, and unconditionally to me that it cannot be defeated by the act of any private person or governmental or state legislation - C. B. Swisher.

III. Mauna Kea and the Moku O Keawe is a creation of God and not of man. This sacred relation we have been entrusted with cannot be violated. We look to the natural elements surrounding us every day that is life, and give us life. Mauna Kea provide us with our water source that is filtered through it's veins for our source of life.

My father was a filipino vet in WWII injured from gun wounds in his back down to his legs. He came to Hawaii in 1946 and had this rash that couldn't be treated by the doctors. My mom, Keaupuniokekaialiokamokupuni, held her life and our upbringing in the living culture of this aina. We always look to the heavens, the mountains, the land and the kai and all seen and unseen elements for answers. We took a journey up to Mauna Kea, almost six hours one way and watched my mom hike to Lake Waiau and back. She came back with a small bottle filled with its precious content. We all prayed for the healing of my father and my poured the sacred water on his affected area and within three days he was healed.

IV. There are Entities and Organizations representing and claiming the importance of this TMT project that will create economic boosts for the State of Hawaii and we need this for the education of **OUR Children's future**. How much of that money will remain in Hawaii and how much will go out. What portion is benefitting our children and how much. I see Bribery, Collusion, Aiding and Abetting all FRAUDRev. Abraham Akaka said in his sermon, ***"There are some of us to who - statehood brings great hopes and there are some whom statehood brings silent fears. One might say that the hopes and fears of Hawaii are met in statehood...There are FEARS that Hawaii as a -state- will be motivated by ECONOMIC GREED; that statehood will TURN Hawaii (as someone has said) into a GREAT SPIRITUAL JUNKYARD, FILLED WITH SMASHED DREAMS, WORN-OUT ILLUSIONS; that will make the Hawaiian people lonely, confused, insecure, empty, anxious, restless, disillusioned-a wistful people."***

This is the prayer that Governor Ige, BLNR, OHA, PUEO, THINK is following. For the Cash cow and it's tactic of funding, comes the question, of ONLY IF TMT is allowed to happen following the **ECONOMIC GREED. Aole Pono!**

It must be kept in it's natural state and not polluted with man-made pimples that will not produce source of life but only a satisfaction of someone's theory in order to jeopardize the well-being of mother earth and mankind. Man has polluted the earth, it's atmosphere, water, land and mind. Irreparable harm has injured us with the plague for the love of "money." Is this the cycle of life we want to demonstrate in Malama ka Aina? Destroyed for money and try to repair for money. Decommission "not in use" observatories or claim open space of lands destroyed for the sake of progress - Kahoolawe, Kapua, and other lands? Why can't we leave Mauna Kea in it's sacredness and stop destroying it any further.

V. The aina is described in the Hawaii Kingdom laws - Mahele Aina for the Ahupua'a of Kaohe, Hamakua. The Aina is Alodial in law and nature. That which cannot be conveyed, transferred, sold or exchanged. It is held in the name of Kalama and Kamamalu and other Kuleana right holders. There is

no State of Hawaii, BLNR or someone governor's proclamation 1909. The state claim to have the "blue book" of lands "ceded" to them. Where is it? We need a copy and the inventory of land described in the annexation and organic action that was "acquired" and transferred of "whatsoeverkind."

VI. Finally, In the General Lease No. S-4191, this indenture lease made the 21st day of June, 1968 during the term of sixty-five (65) years to terminate the 31st day of December, 2033 between the STATE OF HAWAII, by its Board of Land and Natural Resources as Lessor and the UNIVERSITY OF HAWAII, Lessee clearly violated it's fiduciary trust and breached the contract by:

A. Premise and Covenants with Lessor:

....Sec 4, Specified Use - The land is hereby leased and shall be used by the Lessee as **A scientific complex, including without limitation thereof AN OBSERVATORY! It did not say THIRTEEN OR MORE!**

B. Assignments. **The Lessee SHALL NOT SUBLEASE....without prior approval of the BLNR!**

Therefore, I pray my Motion to Vacate for reasons above will be granted.

Electronically Submitted with ALL Rights Reserved

Stephanie-Malia:Tabbada

Proper

Party/Heir/Petitioner

July 18, 2016

Board of Land and Natural Resources

Hawaiian Kingdom

CERTIFICATE OF SERVICE

Contested Case Hearing RE Conservation District Use Application (CDUA) Ha-3568 for the Thirty Meter Telescope at the Mauna Kea Forest Reserve Proclamation June 1909 renamed Mauna Kea Science Reserve, Kaohe Mauka, Hamakua, Ahupua'a of Hamakua, Hawaiian Kingdom, reidentified as TAX MAP KEY (3)4-4-015:009)	BLNR Contested Case Hearing HA-16-02 Document Title: Living Heir/Proper Party/Petitioner Stephanie-Malia:Tabbada, MOTION TO VACATE ENTIRE PROCESS FOR VIOLATION OF BLNR AND UNIVERSITY OF HAWAII FIDUCIARY TRUSTS, RIGHTS RESPONSIBILITIES, BREACH OF CONTRACT, ETC. MANDATED BY THE LAW OF THE LAND
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The undersigned hereby certifies that the above referenced document was served upon the following parties by means indicated:

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by: Stephanie-Malia:Tabbada

Dated: July 18. 2016