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BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

IN THE MATTER OF:

CASE NO. BLNR-CC-16-002

A Contested Case Hearing Re. Conservation
District Use Permit (CDUP) HA-356 For the
Thirty Meter Telescope at the Mauna Kea
Science Reserve, Ka'ohē Mauka, Hamakua,
Hawaii TMK (3) 4-4-015:009

J. LEINA'ALA SLEIGHTHOLM'S
MOTION TO ACCEPT PRE-HEARING
STATEMENT, WITNESS TESTIMONY
WITNESS AND EXHIBIT LIST AND
CERTIFICATE OF SERVICE.

**MOTION TO ACCEPT EVIDENTIARY DOCUMENTS, PRE-HEARING STATEMENT
WITNESS TESTIMONY, WITNESS AND EXHIBIT LIST AND CERTIFICATE
OF SERVICE**

I, J. Leina'ala Sleightholm, respectfully request to have the Hearings Officer accept my Pre-Hearing Statement, Witness Testimony, Witness and Exhibit List, and Certificate of Service. For reasons not clear, Michael Cain's e.mail address was inadvertently omitted from my mailing list when I originally e.mailed the documents out. Accepting my documents based on this technical error will not disadvantage the other parties, as they all received my e.mail on October 11th at 12:26 p.m, and I did not receive any return mail from the listed parties. I have attached exhibits to show that I did, with good intention and good faith electronically file the required documents by the due date. Also, I believe that my documents can be accepted at this time based on:

HAR §13-1-14 Continuances or extensions of time. (Whenever a person or agency has a right or is required to take action within the period prescribed or allowed by these rules, by notice given thereunder or by an order, the board or its chairperson may, for good cause, unless prohibited by law: (1) Before the expiration of the prescribed period, with or without notice, extend the period; or (2) Upon application, permit the act to be done after the expiration of a specified period.) [Eff 6/22/81; am and comp 2/27/09] (Auth: HRS §171-6) (Imp: HRS §91-2).

It was only brought to my attention that my documents were not received when I looked at the evidentiary hearings submittal site and did not find my name or filings, and also noticed my name, and all my witnesses noted on the UH correspondence as "missing witness testimony". Till that point, I believed it was in the process of being entered into evidentiary hearing submittal site.

On October 3, 2016 at the 5th pre-hearing conference held at the Naniloa Crown Room, Hilo, Hawaii, we were ordered to submit our Pre-Hearing Statement, Witness Testimony, Witness

Received
Office of Conservation and Coastal Lands
2016 Oct 16 9:45 pm
Department of Land and Natural Resources
State of Hawaii


and Exhibit Lists, and Certificate of Service by October 11, 2016. This timeframe was extremely rushed for me as a person representing myself with no attorney assistance, and having to understand, and to the best of my ability navigate and understand the instructions and process, while learning the appropriate format for these filings. By the morning of October 11, 2016 I had been up for a few days organizing and finalizing all the necessary documents with very little sleep in between. I was physically and emotionally exhaustion from having to meet this very short *deadline, care for my family, and work at the same time. I humbly move the Hearings Officer to accept my evidentiary documents, which have been since uploaded to the evidentiary submittals site, as I had in good faith sent them out, and again, there would be no disadvantage to any of the parties as they were sent all required documents by the deadline.*

Exhibit A: Sent receipt

Exhibit B: Original e.mail with recipients indicated

Exhibit C: Screenshot of Sent mail file

DATED: October 15, 2016
Waikoloa, Hawai'i, Moku o Keawe

Signature: 
J. Leina'ala Sleightholm

from: **J. Leina'ala Sleightholm**<leinaala.mauna@gmail.com>

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date: Tue, Oct 11, 2016 at 12:26 PM

subject: Pre-Hearing Statement, Witness Testimony, Exhibit and Witness List, COS

mailed-by: gmail.com

: Important according to our magic sauce.



J. Leina'ala Sleightholm <leinaala.mauna@gmail.com>

Pre-Hearing Statement, Witness Testimony, Exhibit and Witness List, COS

4 messages

J. Leina'ala Sleightholm <leinaala.mauna@gmail.com>

Tue, Oct 11, 2016 at 12:26 PM

To: "Ian Sandison" <isandison@carlsmith.com>, Timothy Lui-Kwan <tluikwan@carlsmith.com>, jpm@carlsmith.com, lmcanealey@carlsmith.com, keomaivg@gmail.com, k <kahiwal@cs.com>, "E.K. Flores" <ekflores@hawaiiantel.net>, Pua Case <puacase@hawaiiantel.net>, cordylinecolor@gmail.com, kealikea@yahoo.com, bianca@kahea.org, "Watanabe Ing LLP" <rshinyama@wik.com>, Unknown <douging@wik.com>, Mehana Kihoi <uhiwai@live.com>, Kahookahi Kanuha <kahookahi@gmail.com>, Kualii Camara <kualiic@hotmail.com>, "'Lincoln S. T. Ashida'" <Isa@torkildson.com>, njc@torkildson.com, "Maelani Lee" <maelanilee@yahoo.com>, Lanny Sinkin <lanny.sinkin@gmail.com>, Kaliko Kanaele <akulele@yahoo.com>, "'Stephanie-Malia:Tabbada'" <s.tabbada@hawaiiantel.net>, Tiffnie Kakalia <tiffniekakalia@gmail.com>, "Glen Kila" <makakila@gmail.com>, "Brannon Kamahana Kealoha" <brannonk@hawaii.edu>, "Cindy Freitas" <hanahanai@hawaii.rr.com>, "William Freitas" <pohaku7@yahoo.com>, Ivy McIntosh <3popoki@gmail.com>, Unknown <mkealama@yahoo.com>, Crystal West <crystalinx@yahoo.com>
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Written Testimony Nelson Ho.pdf

J. Leina'ala Sleightholm's Pre-Hearing Statemen...

NGK written direct testimony Mauna a Wakea Oct ...

Witness List for J. Leina'ala Sleightholm

J. Leina'ala Sleightholm Exhibit List

COS template revised.doc

5 attachments Exhibit J-1.pdf
170K Exhibit J-2.pdf
41K Exhibit J-3.pdf
240K Exhibit J-4.pdf
106K Exhibit J-5.pdf
331K

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

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,
Hāmakua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Document title:
Minute Order 34

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Minute Order 34 was served upon the following parties by the means indicated on October 12, 2016:

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J. Leina'ala Sleightholm