

The administrative rules you are asserting today do not apply to me/us they apply to you.

I appear under the laws of necessity.

1st I want to put on the record that the STATE OF HAWAII LOYALTY OATH REQUIREMENTS FOR All Judges, Attorneys, Police Officers, Mayors, Governor, Attorney General; Officers of the Court, State & **County Employees** as described in HB3254 – RELATING TO OATHS OF OFFICE¹

[https://www.capitol.hawaii.gov/session2006/bills/HB3254_hd1_.htm#:~:text="I%2C....,or%20purpose%20of%20evasion%3B%20and](https://www.capitol.hawaii.gov/session2006/bills/HB3254_hd1_.htm#:~:text=)

SECTION 3. Section 128-16, Hawaii Revised Statutes, Status of personnel other than regular officers and employees. is amended to read as follows: ***All persons, including volunteers whose services***

¹ [Vol01_Ch0001-0042F](#) STATE OF HAWAII OATH OF OFFICE

Section 4. *All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the board of education, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate. [Ren and am Const Con 1978 and election Nov 7, 1978; am SB 1440 (1992) and election Nov 3, 1992]*

Attorney General Opinions

Elfbrandt v. Russell, 384 U.S. 11, 86 S. Ct. 1238, does not invalidate the oath of office. Att. Gen. Op. 66-18.

When board of education members can assume official duties. Att. Gen. Op. 86-21.

My Note to Self: this opinion only protects the innocent who are being prosecuted for guilt by association. One cannot be prosecuted for lawful behavior; **only 'unlawful' behavior!**

have been accepted by authorized persons, [~~shall~~,] while engaged in the performance of duty pursuant to this chapter, including duty performed during periods of training, shall be deemed state employees or employees of a political subdivision, as the case may be, and shall have the powers, duties, rights, and privileges of such in the performance of their duties, except as, pursuant to this chapter, may be prescribed by or under the authority of the governor or the political subdivision.

2nd Failure to uphold the Loyalty

Those failing to uphold their Loyalty oath with wrong doings; may be held accountable under U.S. Title Code 18 sec. 241 **CONSPIRACY AGAINST RIGHTS** and 242 - **DEPRIVATION OF RIGHTS UNDER COLOR OF LAW** **SEE Exhibit 1**

I/We are prepared to protect our iwi by using all your administrative rules and US Federal Laws to Hold you to your oath and legal obligations that control your actions.

The primary laws to establish your jurisdiction is your STATE OF HAWAII CONSTITUTION ART. 15 – Boundaries that do not include any of the Hawaiian Islands; specifically Maui in this instance.

US Public Law 86-3, US title code 28 sec. 91 which also do not include Maui or any other Hawaiian Islands.

The question at hand; is the deprivation of my/our individual rights by those using STATE or COUNTY Administrative rules and Police and Military Protection outside its jurisdictional allowed in US Constitutional Laws and Rules? US Title Code 18 sec. 241 and 242 says; NO!

Furthermore, on Dec. 10, 2020 the US Supreme Court Ruled that a Government Agent may be sued in their private capacity when they violate your individual rights. I am prepared to do whatever I need to, to protect our Kupuna IWI.

U.S. Supreme Court Rules Unanimously You May Sue Government Agents for Damages When They Violate Your Individual Rights - Institute for Justice

https://www.supremecourt.gov/DocketPDF/19/19-71/132799/20200212125602641_Brief%20of%20Amicus%20Curiae%20Institute%20for%20Justice.pdf

On July 9, 2020, the U.S. Supreme Court made the opinion in *McGirt v. Oklahoma*, that where a U.S. Congress Treaty has been made, unless it is withdrawn/ cancelled/ void; it still stands. In Oklahoma where the U.S. Congress made a Treaty with the Creek Reservation for approx. 3 million acres of land on the Eastern side of Oklahoma, the US Supreme Court ruled the State of Oklahoma had no jurisdiction to prosecute the Petitioner for his criminal acts done on Creek Reservation land in Oklahoma State Law.

<https://www.nytimes.com/2020/07/09/us/supreme-court-oklahoma-mcgirt-creek-nation.html>

The primary **impact** of **McGirt** is that **Oklahoma** loses much of its power to enforce certain laws against members of Native American tribes within the borders of tribal lands. ... **McGirt's** crime took place within land that, according to Gorsuch's majority opinion, is part of the Creek Reservation. Jul 10, 2020

The Question at Hand is: Where is the land where the alleged Crime, Land Takings, Burial Obstruction happened?

The STATE OF HAWAII is described in US Title Code 28, Sec 91 as: *Hawaii constitutes one judicial district which includes the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Palmyra Island, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island: Provided, That the inclusion of Canton and Enderbury Islands in such judicial district shall in no way be construed to be prejudicial to the claims of the United Kingdom to said Islands in accordance with the agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common.*

Court shall be held at Honolulu.

(June 25, 1948, ch. 646, [62 Stat. 877](#); May 24, 1949, ch. 139, § 64a, [63 Stat. 99](#);

U.S. public Law 86-3 which admitted Hawaii into the U.S. UNION describes Hawaii as:

· SEC. 2. *The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State*

shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

STATE OF HAWAII Constitution Article XV- Boundaries

The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial and archipelagic waters, included in the Territory of Hawaii on the date of enactment of the Admission Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters; but this State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island) or Kingman Reef, together with their appurtenant reefs and territorial waters.

All of these descriptions exclude any of the Hawaiian Islands found in the Hawaiian Island Archipelago Longitudes and Latitudes:

However, the 1849 (Ratified 1850) Treaty between the Republic of the United States of America (President Zachary Taylor) and the Hawaiian Island King (Kamehameha III), His heirs and His successors includes all the islands in the Hawaiian Islands Archipelago as described in:

Exhibit 1: US Title Code 18, Chapter 13, Vol. 12 pg. 84-85

United States Code, 2012 Ed., Vol. 12 Pg. 84-85, Vol. 21 Pg. 50-51, Vol. 32 Pg. 1180 [KF62 2012 A2]
I certify that this is a true and authentic copy from a source deposited in the Supreme Court Law Library.

Date: 01/29/2020

Signature: _____

Manny Cuenca

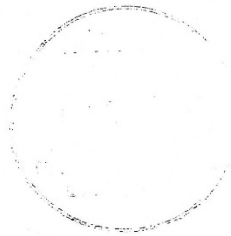
UNITED STATES CODE

2012 EDITION

CONTAINING THE GENERAL AND PERMANENT LAWS
OF THE UNITED STATES ENACTED THROUGH THE
112TH CONGRESS

(ending January 2, 2013, the last law of which was signed on January 15, 2013)

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by the Office of the Law Revision Counsel of the House of Representatives



VOLUME TWELVE

TITLE 18—CRIMES AND CRIMINAL PROCEDURE
TO
TITLE 19—CUSTOMS DUTIES
§§ 1–1654

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 2013

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**SEE SECTIONS 241- CONSPIRACY AGAINST RIGHTS & 242- DEPRIVATION OF RIGHTS UNDER COLOR OF
LAW**

Date: 01/29/2020

Signature: Matthew Cuyaw

§ 233

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

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Forces of the United States, while engaged in suppressing acts of violence or restoring law and order during a civil disorder.

(8) The term "State" includes a State of the United States, and any commonwealth, territory, or possession of the United States.

(Added Pub. L. 90-284, title X, §1002(a), Apr. 11, 1968, 82 Stat. 91; amended Pub. L. 101-647, title XII, §1205(a), Nov. 29, 1990, 104 Stat. 4830; Pub. L. 102-484, div. A, title X, §1051(b)(1), Oct. 23, 1992, 106 Stat. 2498.)

AMENDMENTS

1992—Par. (7). Pub. L. 102-484 substituted "members of the National Guard (as defined in section 101 of title 10)," for "but shall not be limited to, members of the National Guard, as defined in section 101(9) of title 10, United States Code," and "not included within the National Guard (as defined in section 101 of title 10)," for "not included within the definition of National Guard as defined by such section 101(9)."

1990—Par. (8). Pub. L. 101-647 added par. (8).

§ 233. Preemption

Nothing contained in this chapter shall be construed as indicating an intent on the part of Congress to occupy the field in which any provisions of the chapter operate to the exclusion of State or local laws on the same subject matter, nor shall any provision of this chapter be construed to invalidate any provision of State law unless such provision is inconsistent with any of the purposes of this chapter or any provision thereof.

(Added Pub. L. 90-284, title X, §1002(a), Apr. 11, 1968, 82 Stat. 91.)

CHAPTER 13—CIVIL RIGHTS

- | | |
|------|---|
| Sec. | |
| 241. | Conspiracy against rights. |
| 242. | Deprivation of rights under color of law. |
| 243. | Exclusion of jurors on account of race or color. |
| 244. | Discrimination against person wearing uniform of armed forces. |
| 245. | Federally protected activities. |
| 246. | Deprivation of relief benefits. |
| 247. | Damage to religious property; obstruction of persons in the free exercise of religious beliefs. |
| 248. | Freedom of access to clinic entrances. |
| 249. | Hate crime acts. |

AMENDMENTS

2009—Pub. L. 111-84, div. E, §4707(b), Oct. 28, 2009, 123 Stat. 2841, added item 249.

1994—Pub. L. 103-322, title XXXIII, §330023(a)(1), Sept. 13, 1994, 108 Stat. 2150, substituted "Freedom of access to clinic entrances" for "Blocking access to reproductive health services" in item 248.

Pub. L. 103-259, §4, May 26, 1994, 108 Stat. 697, added item 248.

1988—Pub. L. 100-690, title VII, §7018(b)(2), Nov. 18, 1988, 102 Stat. 4396, struck out "of citizens" after "rights" in item 241.

Pub. L. 100-346, §3, June 24, 1988, 102 Stat. 645, added item 247.

1976—Pub. L. 94-453, §4(b), Oct. 2, 1976, 90 Stat. 1517, added item 246.

1968—Pub. L. 90-284, title I, §102, Apr. 11, 1968, 82 Stat. 75, added item 245.

§ 241. Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any

State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90-284, title I, §103(a), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100-690, title VII, §7018(a), (b)(1), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-322, title VI, §60006(a), title XXXII, §§320103(a), 320201(a), title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104-294, title VI, §§604(b)(14)(A), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §51 (Mar. 4, 1909, ch. 321, §19, 35 Stat. 1092).

Clause making conspirator ineligible to hold office was omitted as incongruous because it attaches ineligibility to hold office to a person who may be a private citizen and who was convicted of conspiracy to violate a specific statute. There seems to be no reason for imposing such a penalty in the case of one individual crime, in view of the fact that other crimes do not carry such a severe consequence. The experience of the Department of Justice is that this unusual penalty has been an obstacle to successful prosecutions for violations of the act.

Mandatory punishment provision was rephrased in the alternative.

Minor changes in phraseology were made.

AMENDMENTS

1996—Pub. L. 104-294, §607(a), substituted "any State, Territory, Commonwealth, Possession, or District" for "any State, Territory, or District" in first par.

Pub. L. 104-294, §604(b)(14)(A), repealed Pub. L. 103-322, §320103(a)(1). See 1994 Amendment note below.

1994—Pub. L. 103-322, §330016(1)(L), substituted "They shall be fined under this title" for "They shall be fined not more than \$10,000" in third par.

Pub. L. 103-322, §320201(a), substituted "person in any State" for "inhabitant of any State" in first par.

Pub. L. 103-322, §320103(a)(2)-(4), in third par., substituted "results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both" for "results, they shall be subject to imprisonment for any term of years or for life".

Pub. L. 103-322, §320103(a)(1), which provided for amendment identical to Pub. L. 103-322, §330016(1)(L), above, was repealed by Pub. L. 104-294, §604(b)(14)(A).

Pub. L. 103-322, §60006(a), substituted "or may be sentenced to death" for period at end of third par.

1988—Pub. L. 100-690 struck out "of citizens" after "rights" in section catchline and substituted "inhabitant of any State, Territory, or District" for "citizen" in text.

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1968—Pub. L. 90 from \$5,000 to \$10,000 any term of years or

EFFECTIVE

Amendment by s effective Sept. 13, 104-294, set out as

SHORT T

Pub. L. 104-155, vided that: "This A and section 10602 Welfare, enacting section 247 of this out as a note und and Judicial Proc Arson Prevention /

§ 242. Deprivation

Whoever, unde nance, regulatio any person in a wealth, Possessi tion of any right cured or protect of the United f ments, pains, or person being an or race, than ar of citizens, shall prisoned not mo bodily injury res violation of this the use, attempt dangerous weapn fined under this than ten years, from the acts col tion or if such a tempt to kidnap attempt to com an attempt to title, or impriso life, or both, or r (June 25, 1948, ch title I, §103(b), f 100-690, title VI 4396; Pub. L. 10 XXXII, §§32010 §330016(1)(H), Se 2113, 2147; P §§604(b)(14)(B), 60 3511.)

HISTORI

Based on title 18, 321, §20, 35 Stat. 10 Reference to pen ted as unnecessary in section 2 of this A minor change

1996—Pub. L. 104 Territory, Commos "any State, Territ Pub. L. 104-294 103-322, §320103(b)(1 1994—Pub. L. 103 be fined under this than \$1,000" after " Pub. L. 103-322, § any State" for "ar

Date: 01/29/2020

Signature: _____

Mark Cuervo

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TITLE 18—CRIMES AND CRIMINAL PROCEDURE

§ 244

1968—Pub. L. 90-284 increased limitation on fines from \$5,000 to \$10,000 and provided for imprisonment for any term of years or for life when death results.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 604(b)(14)(A) of Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-155, § 1, July 3, 1996, 110 Stat. 1392, provided that: "This Act [amending section 247 of this title and section 10802 of Title 42, The Public Health and Welfare, enacting provisions set out as a note under section 247 of this title, and amending provisions set out as a note under section 534 of Title 28, Judiciary and Judicial Procedure] may be cited as the 'Church Arson Prevention Act of 1996'."

§ 242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90-284, title I, § 103(b), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100-690, title VII, § 7019, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-322, title VI, § 60006(b), title XXXII, §§ 320103(b), 320201(b), title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104-294, title VI, §§ 604(b)(14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 52 (Mar. 4, 1909, ch. 321, § 20, 35 Stat. 1092).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

A minor change was made in phraseology.

AMENDMENTS

1996—Pub. L. 104-294, § 607(a), substituted "any State, Territory, Commonwealth, Possession, or District" for "any State, Territory, or District".

Pub. L. 104-294, § 604(b)(14)(B), repealed Pub. L. 103-322, § 320103(b)(1). See 1994 Amendment note below.

1994—Pub. L. 103-322, § 330016(1)(H), substituted "shall be fined under this title" for "shall be fined not more than \$1,000" after "citizens."

Pub. L. 103-322, § 320201(b), substituted "any person in any State" for "any inhabitant of any State" and "on

account of such person" for "on account of such inhabitant".

Pub. L. 103-322, § 320103(b)(2)-(5), substituted "bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both" for "bodily injury results shall be fined under this title or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life".

Pub. L. 103-322, § 320103(b)(1), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(H), above, was repealed by Pub. L. 104-294, § 604(b)(14)(B).

Pub. L. 103-322, § 60006(b), inserted before period at end ", or may be sentenced to death".

1988—Pub. L. 100-690 inserted "and if bodily injury results shall be fined under this title or imprisoned not more than ten years, or both;" after "or both;".

1968—Pub. L. 90-284 provided for imprisonment for any term of years or for life when death results.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 604(b)(14)(B) of Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

§ 243. Exclusion of jurors on account of race or color

No citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State on account of race, color, or previous condition of servitude; and whoever, being an officer or other person charged with any duty in the selection or summoning of jurors, excludes or fails to summon any citizen for such cause, shall be fined not more than \$5,000.

(June 25, 1948, ch. 645, 62 Stat. 696.)

HISTORICAL AND REVISION NOTES

Based on section 44 of title 8, U.S.C., 1940 ed., Aliens and Nationality (Mar. 1, 1875, ch. 114, § 4, 18 Stat. 336).

Words "be deemed guilty of a misdemeanor, and" were deleted as unnecessary in view of definition of misdemeanor in section 1 of this title.

Words "on conviction thereof" were omitted as unnecessary, since punishment follows only after conviction.

Minimum punishment provisions were omitted. (See reviser's note under section 203 of this title.)

Minor changes in phraseology were made.

§ 244. Discrimination against person wearing uniform of armed forces

Whoever, being a proprietor, manager, or employee of a theater or other public place of entertainment or amusement in the District of Columbia, or in any Territory, or Possession of the United States, causes any person wearing the uniform of any of the armed forces of the United States to be discriminated against because of that uniform, shall be fined under this title.

(June 25, 1948, ch. 645, 62 Stat. 697; May 24, 1949, ch. 139, § 5, 63 Stat. 90; Pub. L. 103-322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

United States Code, 2012 Ed., Vol. 12 Pg. 84-85, Vol. 21 Pg. 50-51, Vol. 32 Pg. 1180 [KF62 2012 A2]
I certify that this is a true and authentic copy from a source deposited in the Supreme Court Law Library.

Date: 01/29/2020

Signature: _____

Martha Cuervo

UNITED STATES CODE

2012 EDITION

CONTAINING THE GENERAL AND PERMANENT LAWS
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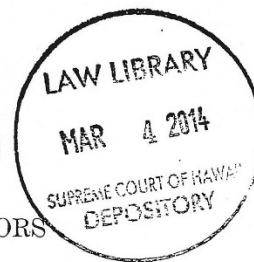


VOLUME TWENTY-ONE

TITLE 27—INTOXICATING LIQUORS

TO

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 2013

*0991-A
4.12.15*

Date: 01/29/2020

Signature: _____

Marlow Cuervo

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TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

§ 93

admission of said State, but as to which no writ, action, indictment or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii."

APPEALS

Pub. L. 86-3, §13, Mar. 18, 1959, 73 Stat. 10, provided that: "Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union."

EXTENSION OF JURISDICTION OF UNITED STATES DISTRICT COURT FOR DISTRICT OF HAWAII AND OF CIVIL AND CRIMINAL LAWS TO MIDWAY, WAKE, JOHNSON, SAND, ETC., ISLANDS

The jurisdiction of the United States District Court for the District of Hawaii and the laws of the United States relating to civil acts or offenses consummated or committed on the high seas on board a vessel belonging to the United States were extended to the Midway Islands, Wake, Johnson, Sand, etc., Islands by section 644a of Title 48, Territories and Insular Possessions.

§ 92. Idaho

Idaho, exclusive of Yellowstone National Park, constitutes one judicial district.

Court shall be held at Boise, Coeur d'Alene, Moscow, and Pocatello.

(June 25, 1948, ch. 646, 62 Stat. 877; Pub. L. 91-272, § 5, June 2, 1970, 84 Stat. 297.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §151 (Mar. 3, 1911, ch. 231, §78, 36 Stat. 1109; May 11, 1939, ch. 121, 53 Stat. 738).

All of Yellowstone National Park is included in the judicial district of Wyoming by section 131 of this title. Those parts of the park lying in Idaho are accordingly excluded from the judicial district of Idaho.

A provision as to the places for maintenance of the clerk's offices, and requiring that they be open at all times, was omitted as covered by sections 452-751 of this title.

Changes in arrangement and phraseology were made.

AMENDMENTS

1970—Pub. L. 91-272 struck out provisions which had divided the judicial district of Idaho into a Northern Division, a Central Division, a Southern Division, and an Eastern Division.

§ 93. Illinois

Illinois is divided into three judicial districts to be known as the Northern, Central, and Southern Districts of Illinois.

Northern District

(a) The Northern District comprises two divisions.

(1) The Eastern Division comprises the counties of Cook, Du Page, Grundy, Kane, Kendall, Lake, La Salle, and Will.

Court for the Eastern Division shall be held at Chicago and Wheaton.

(2) The Western Division comprises the counties of Boone, Carroll, De Kalb, Jo Daviess, Lee, McHenry, Ogle, Stephenson, Whiteside, and Winnebago.

Court for the Western Division shall be held at Freeport and Rockford.

Central District

(b) The Central District comprises the counties of Adams, Brown, Bureau, Cass, Champaign, Christian, Coles, De Witt, Douglas, Edgar, Ford, Fulton, Greene, Hancock, Henderson, Henry, Iroquois, Kankakee, Knox, Livingston, Logan, McDonough, McLean, Macoupin, Macon, Marshall, Mason, Menard, Mercer, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Putnam, Rock Island, Sangamon, Schuyler, Scott, Shelby, Stark, Tazewell, Vermilion, Warren, and Woodford.

Court for the Central District shall be held at Champaign/Urbana, Danville, Peoria, Quincy, Rock Island, and Springfield.

Southern District

(c) The Southern District comprises the counties of Alexander, Bond, Calhoun, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Madison, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Union, Wabash, Washington, Wayne, White, and Williamson.

Court for the Southern District shall be held at Alton, Benton, Cairo, and East Saint Louis.

(June 25, 1948, ch. 646, 62 Stat. 878; Aug. 10, 1950, ch. 675, §1, 64 Stat. 438; Pub. L. 87-36, §3(c), May 19, 1961, 75 Stat. 83; Pub. L. 91-272, § 8, June 2, 1970, 84 Stat. 297; Pub. L. 95-408, §4(b)(1), Oct. 2, 1978, 92 Stat. 884; Pub. L. 95-573, §1, Nov. 2, 1978,

United States Code, 2012 Ed., Vol. 12 Pg. 84-85, Vol. 21 Pg. 50-51, Vol. 32 Pg. 1180 [KF62 2012 A2]
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Maria Cuena

UNITED STATES CODE

2012 EDITION

CONTAINING THE GENERAL AND PERMANENT LAWS
OF THE UNITED STATES ENACTED THROUGH THE
112TH CONGRESS

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VOLUME THIRTY-TWO

TITLE 45—RAILROADS

TO

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 2014

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READ SEC 635, 636 OMITTED- THESE ITEMS WERE OMITTED IN VIEW OF Hawaii BEING ADMISSION OF Hawaii INTO the U.S. UNION- THIS MEANS THE Judicial HOLD ON THE HAWAIIAN ISLANDS BY THE ORGANIC ACT OF 1900 IS RELEASED. Google/Read SEC.635 & 636; 644a GIVES THE JURISDICTIONAL DISTRICT FOR THE COURTS, WHICH DOES NOT INCLUDE ANY OF THE INHABITED HAWAIIAN ISLANDS; Kauai, Niihau, Oahu, Molokai, Lanai, Maui, Kahoolawe, Hawaii Islands.

United States Code, 2012 Ed., Vol. 12 Pg. 84-85, Vol. 21 Pg. 50-51, Vol. 32 Pg. 1180 [KF62 2012 A2]
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Mark Cueno

§ 634

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Page 1180

42, § 312, 42 Stat. 119; May 9, 1956, ch. 237, § 1, 70 Stat. 130, called for presidential appointment of members of supreme court and circuit courts and set tenure and qualifications of judges.

§§ 634, 634a. Repealed. Pub. L. 86-3, § 14(e), Mar. 18, 1959, 73 Stat. 10

Section 634, acts Apr. 30, 1900, ch. 339, § 92, 31 Stat. 159; May 27, 1910, ch. 258, § 6, 36 Stat. 448; July 9, 1921, ch. 42, § 313, 42 Stat. 120, related to salaries of justices of supreme court and circuit courts.

Section 634a, acts May 29, 1928, ch. 904, § 1, 2, 45 Stat. 997; Apr. 30, 1956, ch. 236, § 1, 70 Stat. 123, related to salaries of justices of supreme court and circuit courts.

§§ 634b, 634c. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992

Section 634b, acts May 31, 1938, ch. 301, § 1, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 1, 60 Stat. 90, related to retirement of justices and judges.

Section 634c, acts May 31, 1938, ch. 301, § 2, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 2, 60 Stat. 90, related to computation of years of service.

§§ 635, 636. Omitted

CODIFICATION

Sections 635 and 636, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 635, acts Apr. 30, 1900, ch. 339, § 83, 31 Stat. 157; Apr. 1, 1952, ch. 127, § 1, 66 Stat. 32, continued in force all laws relating to judicial departments and procedure, but made certain changes with reference to membership qualifications for membership on juries.

Section 636, acts Apr. 30, 1900, ch. 339, § 84, 31 Stat. 157; May 27, 1910, ch. 258, § 6, 36 Stat. 447, set out standards for disqualification of jurors who were related by affinity or consanguinity with a person interested in cases being tried and for disqualification of judges in certain cases.

§§ 641 to 644. Repealed. June 25, 1948, ch. 646, §§ 8, 39, 62 Stat. 986, 992

Section 641, acts Apr. 30, 1900, ch. 339, § 86(a), (d), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; July 31, 1946, ch. 704, § 1, 60 Stat. 716, related to district court, sessions, powers, terms. See section 81 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 642, acts Apr. 30, 1900, ch. 339, § 86(c), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 167; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to jurisdiction of district court and authority of officers. See sections 81 et seq., 461 et seq., 501 et seq., 531 et seq., and 1331 et seq. of Title 28.

Section 642a, acts Aug. 13, 1940, ch. 662, 54 Stat. 784; Apr. 29, 1948, ch. 241, § 1, 62 Stat. 204, related to jurisdiction of cases arising on Midway, Wake, Johnston, etc., Islands. See section 91 of Title 28.

Section 643, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and term of office of judges, district attorney, and marshal. See sections 133, 134, 501, 504, and 541 of Title 28.

Section 644, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1412; July 9, 1921, ch. 42, § 313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and salaries of clerks, deputy clerks and reporters. See sections 604, 751, and 753 of Title 28.

§ 644a. Jurisdiction of district court of cases arising on or within Midway, Wake, Johnston, Sand, etc., Islands; laws applicable to jury trials

The jurisdiction of the United States District Court for the District of Hawaii is extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Palmyra Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belonging to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

(June 15, 1950, ch. 253, 64 Stat. 217; Pub. L. 86-3, § 14(j), Mar. 18, 1959, 73 Stat. 11; Pub. L. 86-624, § 19, July 12, 1960, 74 Stat. 416.)

AMENDMENTS

1960—Pub. L. 86-624 struck out Kure Island.

1959—Pub. L. 86-3 extended jurisdiction to cases arising on or within Palmyra Island.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-3 effective on admission of the State of Hawaii into the Union, see note set out under section 91 of Title 28, Judiciary and Judicial Procedure. Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 25 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of this title.

CANTON AND ENDERBURY ISLANDS; SOVEREIGNTY OF KIRIBATI

By a treaty of friendship, TIAS 10777, which entered into force Sept. 23, 1983, the United States recognized the sovereignty of Kiribati over Canton Island and Enderbury Island.

§ 645. Repealed. Pub. L. 86-3, § 14(f), Mar. 18, 1959, 73 Stat. 10

Section, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 11, 1911, ch. 231, § 291, 36 Stat. 167; Mar. 4, 1920, ch. 161, § 1, 41 Stat. 1412; July 9, 1921, ch. 42, § 313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title

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