

RECORDING REQUESTED BY

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RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES

DOCUMENT NO. Doc A 9330001000  
DATE - TIME 7/18/2025 3:11 PM

NAME: Hector-Eduardo: Vivo., Attorney-In-Fact, Financial Trustee

SPACE ABOVE THIS RESERVED FOR RECORDER' USE

MAILING: 1188 bishop street ste 2602

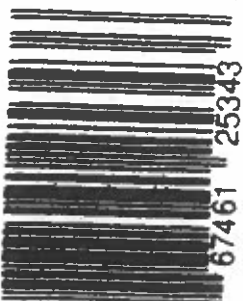
CITY, STATE ZIP CODE: Honolulu Hawaii 96813

## AFFIDAVIT

### Unlawful Misrepresentation of Miscellaneous Equity Case Filings as "Terminated" By a Court of Record Established Under The Constitution for the United States of America (1789).

#### NOTICE TO THE PUBLIC AND ALL HEREIN:

THE EMMELINE GARAYGAY MACANAS ESTATE & TRUST DECLARE AND PROCLAIM THAT THIS NOTICE IS A WARNING IN GOOD FAITH TO PROTECT THE ESTATE AND ITS PROPERTY. ANY AND ALL AGENCIES OR INDIVIDUALS THAT TRESPASS THAT VIOLATE THE FEE SCHEDULE, WILL BE SUBJECT TO ITS FEES THROUGH ADMINISTRATIVE LAW. IF THERE IS ANY INFRINGEMENT ON MY COPYRIGHT OR TRADEMARK, ANY/OR ALL AGENTS OR INDIVIDUALS ARE SUBJECT TO THE ESTATE'S FEE SCHEDULE AND/OR CRIMINAL CHARGES THROUGH THE DEPARTMENT OF THE INSPECTOR GENERAL. THE AGENCIES WILL BE SUBJECT TO THE FEE SCHEDULE AND/OR ANY CRIMINAL & CIVIL INFRACTIONS, SANCTIONS CHARGED INDIVIDUALLY OR CORPORATE CAPACITY. THIS DISCLOSURE IS TO INFORM THOSE ADDRESSED HEREIN FOR HAND-DELIVERY, REGISTERED MAIL, OR FACSIMILE, ARE ALL SUBJECT TO THE FEE SCHEDULE ATTACHED BY PROXY, CORPORATION, OR YOUR INDIVIDUAL SELF ARE ALL LIABLE FOR ANY TRANSGRESSIONS AGAINST THE ESTATE OR PROPERTY. A COPY OF THE FEE SCHEDULE AND ALL THE EQUITY THAT PERTAINS TO IT, HAS BEEN SERVED VIA USPS, CERTIFIED AND SIGNATURE VERIFIED TO ALL OFFICES, AGENCIES, INDIVIDUALS, AGENTS, DIRECTORS, AND DEPARTMENTS.



**From:**

**.Hector-Eduardo: Vivo.**

**Attorney-in-Fact, Financial Trustee**

**In care of; Emmeline Garaygay Macanas Estate, including the  
property of two minor youth (Confidential)**

**1188 Bishop Street, Suite 2602**

**Honolulu, Hawaii 96813**

**To:**

**The Honorable Derrick K. Watson**

**Honorable Chief Judge**

**U.S. District Court for the District of Hawaii**

**ATTN: Chief Court Administrator**

**United States District Court**

**300 Ala Moana Blvd C-338**

**Honolulu, Hawaii 96850**

**Cc: (ADDRESSES - SEE PS 3665 FOR DETAIL)**

**1. Attorney General , Anne E. Lopez, Judge Montalbano / Juan /  
John Alberto Montalbano (ADDRESS - SEE PS 3665)**

**2. Defendant: Chad Seifuku Takara (ADDRESS - SEE PS 3665)**

**A. Honorable File Clerks; Federal District Court, (I highly value the file  
clerks and would like to educate them).**

**Subject Matter:**

**Case # ALL MISC. CASES (MC - DISTRICT COURT)**

**Lower Case # 1PP20106178**

**AFFIDAVIT**  
**UNLAWFUL MISREPRESENTATION OF MISCELLANEOUS**  
**EQUITY CASE FILINGS AS "TERMINATED" BY A COURT OF**  
**RECORD ESTABLISHED UNDER THE CONSTITUTION FOR**  
**THE UNITED STATES OF AMERICA (1789)**

**Date:** July 18<sup>th</sup>, 2025

**STATE OF HAWAII**

)

)

**SS.**

**CITY & COUNTY OF HONOLULU )**

**I. DEFINITION OF "TERMINATED"**

According to the Oxford English Dictionary, the word "terminate" is defined as:

"To bring to an end; to conclude; to discontinue."

**In legal usage, the term "terminated" implies that a matter has been decided, concluded through judicial process, or dismissed following a lawful hearing. It presumes the completion of procedural or substantive issues with notice and adjudication. Applying this term to filings that have not been heard, assigned, or decided by a sitting judge constitutes a false legal conclusion, and conveys fraudulent mischaracterization of process and status on the public record.**

**II. AFFIDAVIT DECLARATION**

**I, .Hector-Eduardo: Vivo., a living man and authorized Attorney-in-Fact and Financial Trustee** on behalf of the Estate of Emmeline Garaygay Macanas, including the private property of two minor heirs (names confidential), do solemnly affirm, declare, and state:

1. That I am of lawful age, competent to testify, and affirm this Affidavit based on first-hand knowledge and fiduciary obligation under trust law and the Constitution for the United States of America (1789), supported also by the Civil Rights Act of 1866 and maxims of equity and natural law.
2. **(SEE DOCKET LIST ON ENCLOSURE / ATTACHMENT B)** A lawful Equity Filing was made in the United States District Court

for the District of Hawaii, recorded under a miscellaneous category (MC Case), the nature of which invoked equitable jurisdiction, trust law, and fiduciary obligations and requested relief under private trust status, not statutory process.

3. That said Equity Filing was, without hearing, order, or court appearance, administratively stamped as "TERMINATED".
4. That such a designation is not supported by any judicial decree, ruling, or final judgment, and was issued by a clerk or administrative officer, not a judge acting under Article III authority.
5. That a court of record, as established under Article III of the U.S. Constitution and recognized in case law—including but not limited to *Ex parte Milligan*, 71 U.S. (4 Wall.) 2, 125 (1866)—must proceed according to the common law and equity, and not under statutory or executive authority alone.
6. Courts of Record are distinct from administrative or statutory courts. In *Corpus Juris Secundum*, Vol. 21, §16, a court of record is defined as:  
"A court, which is required to keep a record of its proceedings, and which possesses the power to fine or imprison for contempt."
7. In *Hale v. Henkel*, 201 U.S. 43 (1906)\*\*, the U.S. Supreme Court confirmed:  
"The individual may stand upon his constitutional rights as a citizen... He owes nothing to the public so long as he does not trespass upon their rights."
8. That stamping equity-based and trust-related filings in a Court of Record as "TERMINATED" without hearing, decree, or remedy—creates a false and misleading record, violates a fundamental doctrine of equity (fraud vitiates all), and impairs constitutionally protected rights to due process and access to justice under:
  - The Fifth and Ninth Amendments
  - The Civil Rights Act of 1866
  - Maxim: "Equity aids the vigilant, not those who slumber on their rights"
  - Maxim: "Equity regards that which ought to be done as done"

9. That continued administrative issuance of the term "TERMINATED" in equity filings constitutes a presumption of closure where there is no such act, failing the requirement of lawful decision-making under Article III judicial powers, and leading to constructive fraud, discrimination by process, and possibly violations under:
- 18 USC § 242 – Deprivation of Rights under Color of Law
  - 18 USC § 1001 – False Statements or Misrepresentations
  - Misprision of Treason – 18 USC § 2382, when officers knowingly suppress lawful filings under constitutional defense.

### **III. FORMAL NOTICE & LAWFUL DEMAND**

**I hereby give lawful NOTICE to this Court and court administrators that use of the term "TERMINATED" on equity filings, trust petitions, or miscellaneous claims not heard before a judge, not dismissed by order, and not consented to by the petitioner or injured party amounts to:**

- Unlawful alteration of status on the public record,
- Procedural and equitable discrimination,
- Breach of judicial honesty in a constitutional court of record,
- Fraud upon the court, and further
- Disparagement of fiduciary relationships held under trust.

**Accordingly, I formally DEMAND that the following actions be taken within fourteen (14) business days of receipt of this affidavit and notice:**

1. Cease and desist the unauthorized use of the term "TERMINATED" for filings under equity/jurisdictional reservations without order of court;
2. Correct any record bearing the false designation;
3. Adopt alternative status verbiage for such filings, such as:
  - "Received for Consideration",
  - "Pending Filing Review",
  - "Open Miscellaneous Equity Case",
  - or similar neutral language consistent with fact and law; and

1. Provide to the undersigned, in writing, the lawful basis, Constitutional provision, or judicial rule upon which your office claims such designation authority in courts of equity or trust matters.

**Failure to comply or respond within the time allowed shall constitute tacit acquiescence, dishonor of the public trust, and evidence of bad-faith administration for future claims to be submitted to federal oversight and public record campaigns.**

#### IV. FINAL DECLARATION

I solemnly affirm that all facts stated above are true and correct to the best of my knowledge, belief, and lawful standing, and that this Affidavit stands alone as evidence of lawful Notice and Demand upon this United States District Court, its Chief Judge, and court officers acting in trust on behalf of the People of the United States.

So affirmed and declared under penalty of perjury under the laws of the United States of America.

Executed on this 18<sup>th</sup> day of July, 2025.

In good faith, all rights reserved. Without prejudice UCC 1-308.

Respectfully and honorably submitted,

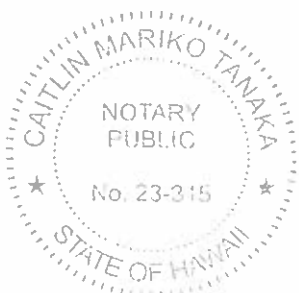
By: WA-Sud: Vm.

.Hector-Eduardo: Vivo.

Attorney-in-Fact, Financial Trustee

Estate of Emmeline Garaygay Macanas

1188 Bishop Street, Suite 2602, Honolulu, Hawaii 96813



*GH-sh*

see notary certification on next page

7.18.25

10<sup>c</sup>



**Jurat:**

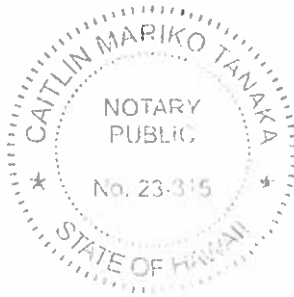
State of Hawaii

SS.

City & County of Honolulu

Subscribed and sworn before me this 18<sup>th</sup> day of JULY, 2025

(Seal)



ath sh

Signature of Notary Public

Print Name: Caitlin Mariko Tanaka

My commission expires:

12/17/2027

Doc. Date: 7/18/2025

# Pages: 22

Notary Name: Caitlin Mariko Tanaka

First Circuit

Doc. Description: Affidavit Unlawful Misrepresentation of Miscellaneous Equity case Filings  
as "Terminated" By a Court or Revised Established under the Constitution for the United States or America (1750).

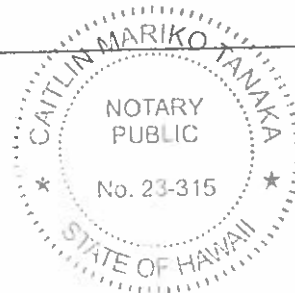
ath sh

7/18/2025

Stamp or Seal)

Notary Signature

Date



**Enclosure / Attachment A: (ATTACHED).**

Referenced in this affidavit (court filing) is attached separately and is not part of the notarial act. THIS IS A SELF-STANDING DOCUMENT.

**Enclosure / Attachment B: (ATTACHED).**

ALL DOCKETS NEED TO BE REVISED TO REMOVE THE MISLEADING TERM "TERMINATED" → "CLOSED": HEV

### **WAIVER OF IMMUNITY**

"...where any state proceeds against a private individual in a judicial forum it is well settled that the state, county, municipality, etc. waives any immunity to counters, cross claims and complaints, by direct or collateral means regarding the matters involved."

*Luckenback v. The Thekla*, 295 F 1020, 226 U.S. 328; *Lyders v. Lund*, 32 F2d 308; *Dexter v. Kunglig J.*, 43 F2d 705, 282 US 896; *U.S. v. N.C.B.N.Y.*, 83 F2d 236, 106 ALR 1235, affirmed; *Russia v. BTC*, 4 F Supp 417, 299 U.S. 563.

This doctrine includes, but is not limited to, challenges to personal, subject matter and territorial jurisdiction, as well as to claims that the forum is not judicial in nature but merely administrative or that the court is proceeding, improperly, against a private individual under the rebuttable presumption that the private individual is a corporate entity or an artificial person upon which the Public Statutes operate.

Furthermore, it is undisputed that the state itself is acting in its capacity as a commercial entity and is liable for damages.

"The state may nevertheless be held liable where the injurious activity was 'proprietary' rather than 'governmental', i.e., where the injury was caused by the state acting in its capacity as a commercial entity rather than that of sovereign."

## **ENCLOSURE A**

A'

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:25-mc-00001-SASP-RT**

Macanas v. State of Hawaii et al  
Assigned to: Judge SHANLYN A.S. PARK  
Referred to: MAGISTRATE JUDGE ROM  
TRADER

Date Filed: 01/07/2025  
Date Terminated: 01/07/2025

**Petitioner**

**Emmeline Macanas**  
*also known as*  
Emmeline Garaygay Macanas  
*also known as*  
Emmeline G. Macanas  
*also known as*  
Macanas Emmeline  
*also known as*  
.Emma.: Macanas.  
*also known as*  
:Macanas: .Emmeline-  
Garaygay.

represented by **Emmeline Macanas**  
1188 Bishop Street, Ste #2602  
Honolulu, HI 96813  
PRO SE

ATTEST: A True Copy  
Clerk, United States District  
Court, District of Hawaii

By *H. M. Parker*  
Deputy

V.

**Respondent**

**State of Hawaii**

**Respondent**

**City & County of Honolulu**

**Respondent**

**Department of Attorney  
General**

**Respondent**

**Court Investigative Unit**

**Respondent**

**Department of Human  
Services**

**Respondent**

**First Circuit Court, District  
Court**

**Respondent**

**First Circuit Court, Family  
Court**

**Respondent**

**Honolulu Police Department**

**Respondent**

**Department of Sheriff**

**Respondent**

**Department of Law  
Enforcement**

**Respondent**

**Department of  
Transportation**

**Respondent**

**Department of Homeland  
Security**

**Respondent**

**U.S. Department of State**

**Respondent**

**U.S. Department of Justice**

**Respondent**

**Office of Governor**

**Respondent**

**Child Protective Services**

**Respondent****Child Support Enforcement  
Agency****Respondent****Chad Seifuku Takara****Respondent****CNC Distribution LLC**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/07/2025	<u>1</u>	[Miscellaneous Case Filing Fee/USA Applications] Courts of Record re Lower Case No. 1 PP201006178 Filing fee \$ 52. - filed by Emmeline Macanas. (Attachments: # <u>1</u> 01. Equity Federal Court Order #013, # <u>2</u> 02. Courts of Record - Common Law, # <u>3</u> 03. 20 Maxims of Law, # <u>4</u> 04. Notice to the Public - DOC9067000654, # <u>5</u> 05. Memorandum of Law - DOC A - 89100612, # <u>6</u> 06. Fee Schedule - FR370175231US, # <u>7</u> 07. Notice of Trespassing on Estate, # <u>8</u> 08. Notice of Liability - Trespass/Bond, # <u>9</u> Table of Contents/References, # <u>10</u> A. Vacate & Strike - Dkt. 179 / Pg. 1 only, # <u>11</u> B. Vacate & Strike - Dkt. 167 / Pg. 1 only, # <u>12</u> C. Affirmation/Public Notary)(eta) (Entered: 01/07/2025)
01/07/2025	<u>2</u>	Filing fee: \$ 52.00, receipt number 4890 re <u>1</u> Miscellaneous Case Filing Fee/USA Applications. (eta) (Entered: 01/07/2025)

$A^2$

CLOSED,Pro Se

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:25-mc-00002-MWJS-KJM**

Macanas v. State of Hawaii et al  
Assigned to: JUDGE MICAH W.J. SMITH  
Referred to: MAGISTRATE JUDGE KENNETH J.  
MANSFIELD

Date Filed: 01/07/2025  
Date Terminated: 01/07/2025

**Petitioner**

**Emmeline Macanas**  
*also known as*  
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*also known as*  
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:Macanas: .Emmeline-  
Garaygay.

represented by **Emmeline Macanas**  
1188 Bishop Street, Ste #2602  
Honolulu, HI 96813  
PRO SE

ATTEST: A True Copy  
Clerk, United States District  
Court, District of Hawaii  
By H. M. [Signature]  
Deputy

V.

**Respondent**

**State of Hawaii**

**Respondent**

**City & County of Honolulu**

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**Department of Attorney  
General**

**Respondent**

**Court Investigative Unit**

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**Department of Human  
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**U.S. Department of State**

**Respondent**

**U.S. Department of Justice**

**Respondent**

**Office of Governor**

**Respondent**

**Child Protective Services**

**Respondent**

**Child Support Enforcement  
Agency**

**Respondent**

**Chad Seifuku Takara**

**Respondent**

**CNC Distribution LLC**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/07/2025	<u>1</u>	[Miscellaneous Case Filing Fee/USA Applications] Courts of Record; Table of Contents; 01. Order #013 re Lower Case No. 1PP201006178 Filing fee \$ 52. - filed by Emmeline Macanas.(eta) (Entered: 01/08/2025)
01/07/2025	<u>2</u>	Filing fee: \$ 52, receipt number 4891 re <u>1</u> Miscellaneous Case Filing Fee/USA Applications (eta) (Entered: 01/08/2025)

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CLOSED,Pro Se

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:25-mc-00003-JAO-RT**

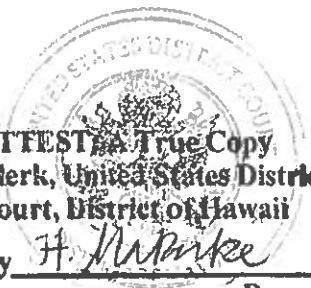
Macanas v. State of Hawaii et al  
Assigned to: JUDGE JILL A. OTAKE  
Referred to: MAGISTRATE JUDGE ROM  
TRADER

Date Filed: 01/07/2025  
Date Terminated: 01/07/2025

**Petitioner**

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represented by **Emmeline Macanas**  
1188 Bishop Street, Ste #2602  
Honolulu, HI 96813  
PRO SE

  
ATTEST: A True Copy  
Clerk, United States District  
Court, District of Hawaii  
By H. M. Parker  
Deputy

V.

**Respondent**

**State of Hawaii**

**Respondent**

**City & County of Honolulu**

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**Department of Attorney  
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**Respondent****Child Support Enforcement  
Agency****Respondent****Chad Seifuku Takara****Respondent****CNC Distribution LLC**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/07/2025	<u>1</u>	[Miscellaneous Case Filing Fee/USA Applications] Courts of Record Exhibit(s) Filing fee \$ 52. - filed by Emmeline Macanas. (Attachments: # <u>1</u> 01. Notice to Public - Administrator of Executrix DOC 89140727, # <u>2</u> 02. Rescission of Contract DOC No. A-89140434, # <u>3</u> 03. Memorandum of Law Pkg. 12376786, # <u>4</u> 04. Writ of Mandamus DOC. No. 8990000540, # <u>5</u> 05. Notice of Property Possession, # <u>6</u> 06. Lawful Notice of Acceptance, # <u>7</u> 07. Notice of Default - DOC 88780790, # <u>8</u> 08. Trespassing on Estate - Transgressions, # <u>9</u> 09. Notice of Liability - Trespassing Estate, # <u>10</u> 10. Affidavit of Truth and Assertory Oath, # <u>11</u> 11. Deed Poll/Canon Laws, # <u>12</u> 12. Fee Schedule - RF370175231US, # <u>13</u> 13. Federal Equity Court ORD 13, # <u>14</u> 14. Lack of Jurisdiction, # <u>15</u> Table of Contents, # <u>16</u> A. Preamble, # <u>17</u> B. Courts of Record - Common Laws, # <u>18</u> C. Trust ? Its the Secret Trust, # <u>19</u> D. The 20 Maxims of Equity, # <u>20</u> E. RICO Act Violations, # <u>21</u> F. Securities Fraud, # <u>22</u> G. Memorandum of Judicial Opinion)(eta) (Entered: 01/08/2025)
01/07/2025	<u>2</u>	Filing fee: \$ 52, receipt number 4889 re <u>1</u> Miscellaneous Case Filing Fee/USA Applications (eta) (Entered: 01/08/2025)

**The following page (22), shows the circled areas on the Equity Filing, where the verbiage, "Terminated" and "CLOSED" are noted. This is misleading as specified in this document and goes into detail regarding the verbiage and adopting alternative status verbiage.**

**ENCLOSURE B**

CLOSED, Pro Se

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:25-mc-00001-SASP-RT**

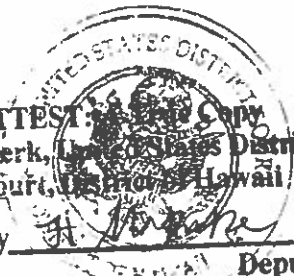

Macanas v. State of Hawaii et al  
Assigned to: Judge SHANLYN A.S. PARK  
Referred to: MAGISTRATE JUDGE ROM  
TRADER

Date Filed: 01/07/2025  
Date Terminated: 01/07/2025

**Petitioner**

**Emmeline Macanas**  
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represented by **Emmeline Macanas**  
1188 Bishop Street, Ste #2602  
Honolulu, HI 96813  
PRO SE

ATTEST:   
Clerk, U.S. District  
Court, District of Hawaii  
By  Deputy

V.

**Respondent**

**State of Hawaii**

**Respondent**

**City & County of Honolulu**

**Respondent**

**Department of Attorney  
General**

**Respondent**

**Court Investigative Unit**

State of Hawaii  
Department of Land & Natural  
Resources  
Bureau of Conveyances  
1151 Punchbowl St, Honolulu  
HI 96813

Receipt  
ABSTRACT

Received by: CFRATBH

Package:12575332

**HECTOR-EDUARDO**

A-	AF	\$41.00
9330001000		

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Total:	\$41.00
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Cash	\$41.00
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Paid by: HECTOR-EDUARDO

Thank you

July 18, 2025 3:11 PM