

United States Court of Appeals
For the Ninth Circuit

No. 23-03179

USDC No. C23 00006 JMS KJM

Thunderfoot

Plaintiff-Appellant

United States, et al ^{versus}

Defendants-Appellees,

Note:
This is NOT
A Motion;
AND
This is for
a Judge to
review and/or
respond; IS
AND

TIME
SENSITIVE!

Plaintiff-Appellant-Affiant Thunderfoot's **URGENT**
Petition for A Permanent Injunction Regarding
Defendant's County of Hawaii's County of Hawaii
Office of the Mayor's and Mitch Roth's 'Bill 82';
AND To Add Additional Defendants; AND
A WRIT of Mandamus to revoke Ordinance
08-16; AND Exhibits #1-#46; ALL By
Affidavit of Truth; AND Certificate of Service

Affidavit of Truth

[REDACTED] (Indeed no more than an Affidavit is necessary to
make prima facie case; *dis. v K's* 658 F 2d, 526,
526 7th Cir. 1981; which requires development of
facts which a Court might infer wrongdoing.)

I, Comes now Plaintiff-Appellant-Affiant Thunderfoot
to the best of my knowledge and ability state that
ALL contents contained herein this "Plaintiff-Appellant-
Affiant Thunderfoot's URGENT Petition for A Permanent
Injunction Regarding Defendants County of Hawaii's County
of Hawaii Office of the Mayor's and Mitch Roth's 'Bill 82';
And To Add Additional Defendants; AND A writ of
Mandamus to Revoke Ordinance 08-16; AND Exhibits #1-#46;

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ALL By Affidavit of Truth; AND Certificate of Service,
is true and correct under the penalty of perjury.

1. This document is hereinafter known as
"Bill 82 Injunction";

2. My full legal name is Thunderfoot, I am a resident
of the County of Hawaii in the State of Hawaii;

3. Declarations: This is a "Petition" not a "Motion";
AND it is well established that:

a. There is a legal difference between a "Petition"
and a "Motion";

b. Any and ALL Court Orders, Judgements, Rulings, etc.,
must be hand signed by a Judge to be valid, legal,
binding and enforceable;

c. Handwriting is physical evidence;

d. An Affidavit of Truth document is an affirmation
that may be responded to via Affidavit of Truth by
rebut, redraft and resend process; And that each and
every point be addressed point for point; And contain
a notarised signature or else your failure and/or
refusal to respond as declared herein, is your
agreement by silence by "TACIT PROCURATION", that
everything in this Affidavit of Truth is true and
correct and complete; (contents)

e. ALL of the above in this item number 3
are as declared in my "Plaintiff-Appellant-Affiant
Thunderfoot's Response to Order Document No. 7.1;
AND Petition for Reconsideration for Blanket Extension
Time For Filing Deadlines For All Documents; AND
Addendum to Opening Brief; ALL By Affidavit of
Truth; AND Certificate of Service" that was
mailed priority and certified via USPS on January
10, 2024; hereinafter known as "Response Affidavit";
AND as it its entire contents are fully set
forth inserted herein to support the above
Declarations in this item number 3 of this
document;

4. This Action is Pursuant to:

a. United States Constitution (Constitution);
1. Especially Article III; And 1st, 4th, 5th, 9th Amendments;
etc.

b. My inalienable rights being protected and
guaranteed;

And
14th
Amendment!

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c. Civil Rights Acts of 1871 and 1964;
d. Human Universal International Rights; covered under
11th Amendment to the Constitution
e. United States Codes ("U.S.C.") §§ 533, 1345,
1346, 1968, 1981-88, 2233, 401 and 402;
f. ~~Due to~~ Bill 82 unlawfully seizing control
of privately owned roads ~~as~~ theft by deception,
since ownership is defined by who controls
the real estate; and Bill 82 removes my control
without my consent; AND it is unlawful for
a government entity to control my private property;

[REDACTED]

Nor did I give any community entity
permission to represent me to the government
in any capacity, including controlling my interests
in my real estate property owned via tenancy
in common;

a. Disclosure: I had a real estate
license in Hawaii and passed all exams to be
considered an expert on the differences
between public and private property definitions; And
controlled by the public through government
agencies and their officials; AND

2. Private Property is owned and controlled by private citizens or corporations;
2. Therefore, the government nor its officials
can lawfully control my interests in my properties
unless it utilises due process of eminent domain,
and compensates me for the condemnation of
my property through eminent domain; AND

a. The government cannot use eminent
domain on agricultural lands that are not
publically owned; does not benefit the public;
goes nowhere public to any public facilities;
AND the only private roads ALL lead out
to a public highway is not cause to

⊕
State
of
Hawaii;
(certified
by the
state to
be an
expert
on
real
estate)

And
real
estate
issues;
therefore

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to legally justify eminent domain procedures even if eminent domain had been attempted; AND

1. Since eminent domain under the Fifth Amendment is the only legal way for the government to acquire private property, ANY other method is unconstitutional and void under Article III; AND

a. The Constitution is Superior Law;

3. Therefore Bill 82 is unlawful and void, along with if Mitch Roth signs it as Mayor of Hawaii County or not; It's void as a Bill and/or as a County Ordinance;

g. Due to the ultra vires, surreptitious, egregious nature of Bill 82, any reasonable person would conclude it violates the following U.S. Laws:

1. U.S.C. §§: 241, 242, 371, 641, 648, 653, 654, 1001, 1002, 1018, 1981-88, 1985-86, 10101, 1341, 1345, 1346, 1038, ~~1961-66~~, 1349, 2315; The Sherman Act of 1890, The Clayton Act of 1914, The Federal Trade Commission Act of 1914; AND U.S.C. § 371 just due

to misappropriation of government time and funds alone plus more;

a. U.S. Laws against public corruption;

b. Article IV, Section Full Faith and Credit given to Vermont Law Review "Reflections on the Bundle Rights";

c. Private Property Protection Act of 2005, 2012, 2017 and 2019;

d. The Complete Streets Act of 2021, H.R. 1289;

e. 5 C.F.R. § 2635, 704-705;

f. State of Hawaii Constitution AND Laws;

g. Hawaii Revised Statutes ("HRS")

HRS § 46-16, the County of Hawaii may not control "private roads used primarily for agriculture and ranching purposes"; AND the private

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Δ They:
County of
Hawaii CHFD,
Finance
Defendants,
Reality, Ltd,
Finance Factors,
Ltd. and
Polynesian
Investment
Company
upon my
subdivision
registered
as such
upon
Statehood
in 1959 AND
prior to
that as
well. They
All agreed
with others
to put it
agricultural
into gov.
database.)

grant
a writ of mandamus
to revoke
and
repeal
Bill 82.
It
signed
by Mayor
grant
injunction,
if not
signed by
Mayor
yet.

that are affected by this case are agriculturally zoned as Agriculture 3. Therefore, by definition of their zoning, the private roads are used for agricultural use, so the Defendants (above-named) cannot make any Bill or Ordinance or Policy that violates HAS § 46-16; AND/OR agricultural zoning; 1. Note, HAS § 46-16 itself is UNConstitutional

as it unlawfully violates the Fourth and Fifth Amendments to equal protection of the law when it only protects one type of private property; especially since private property is private whether it is agricultural or any other zone; AND the State of Hawaii cannot authorize a municipality to control private property since by definition private property is NOT owned by the government; and therefore cannot be controlled by the government; These are just examples, as declared in my Complaint to be litigated;

4. Bill 82 and HRS 46-16 are just two examples of a pattern of unconstitutional Bills and Laws by the Defendants State of Hawaii and County of Hawaii et al, as declared in my Complaint, as it fully set forth inserted herein:

1. A pattern of unconstitutional

Note!
HPS 46-6
is for a
separate
Petition;

Laws and Bills are "good cause" for a permanent injunction, ~~and~~ writ of mandamus. If the Bill is signed between this Petition and the Ninth Circuit's Ruling by a Judge(s), ~~to~~ ~~prohibit~~ ~~the~~ ~~County~~ ~~of~~ ~~Hawaii~~ ~~from~~ ~~unlawfully~~ ~~seizing~~ ~~control~~ ~~of~~ ~~my~~ ~~interests~~ ~~in~~ ~~my~~ ~~private~~ ~~properties~~, which is essentially ^{an} unlawful theft by deception. Because if I ~~lose~~ lose control of my property I no longer own it because I can't control it, as part of the definition of ownership; 2. Thus, any reasonable person

2. Thus, any reasonable person

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like
the Sherman
Act, Clayton
Act and Federal
Trade Commission
Act

see
P.L.
103-150

1. Dole,
shipman,
Hiram Fong
and their
corporations
are the
official
gov.

A
tenant
has
more
rights
than
a
property
owner
in this
State;
unequal
protection
of the
Law; violates
4th/5th
Amendments
on
other
rights

would conclude that if the government can just
take control and ownership in the manner as
declared herein, that none of us really own
it and the concept of ownership itself becomes
a fraud and swindle; violating U.S.C. § 1341 and others;
Especially since the gover-
nment took over a Monarchy to control all
land in Hawaii; then sold it to individuals,
politicians and corporations, so there was (and is)
no "undedicated" lands. This Bill 82, among
others as declared in my Complaint, is an attempt
to steal land again! why own land then?
If Mayor Mitch Roth
signs this Bill into law it would mean that
the County of Hawaii could build a bus stop
in my private way for the purposes of public
health and safety is outrageous;

It is
unConstitutional, UNAMERICAN and deteriorates
public trust and DEMOCRACY itself

The above-named Defendants, along with
County of Hawaii County Council, [redacted]
Matt Kamealii-Kleinfelder (introduced Bill 82),
Heather Kimball, Jennifer Kagiwada, Susan Lee Loy,
Michelle Galimba, Rebecca Villegas, Dr. Huleka Inaba, AND
Cynthia Evans (hereinafter collectively known as
"County Council"), along with the County of
Hawaii Office of the Corporation Counsel and
Elizabeth Strance (all collectively in this
paragraph shall be knowns herein as the "County"
AKA "They", "Them" and/or "Their" ALL conspired
to violate, infringe upon and/or deprive me of my
Constitutional and civil rights; AND properties;

as declared in title of
this document,
fully set
forth
herein;

Since, Hawaii County Council No. 23-03/79

⊗
AND
the County
of Hawaii
Corporation
Council and
Council
members
as
named on
page 6 in
"h"

1 passed Bill 82 ~~for~~ Defendant Mayor Mitch Roth,
County of Hawaii and County of Hawaii office
of the Mayor to sign into Law. They should ALL
be held accountable for their acts and/or
ommissions; Not just in regards to Bill 82,
but for their wrongdoing in relation to
other wrongdoings as declared in other County
of Hawaii Bills, Laws and Resolutions as unCon-
stitutional in my Complaint; AND acts &/or ommissions;

1. Due to my right to scrutinize
government officials, right wrongs, protect and
guarantee my rights etc as declared herein;

the County of Hawaii County Council, County of
Hawaii office of the Corporation Counsel, Elizabeth
Strance, Matt Kaneali'i-Kleinfelder, Heather Kimball,
Jennifer Kagiwada, Susan Lee Loy, Michelle Galimby,
Rebecca Villegas, Dr. Huleka Inaba and Cynthia
Evans should ALL be granted inclusion as
additional Defendants to these already named

△ AND
I am
entitled to
petition the
government
for redress
of grievances
AND
Remedies.

"In my Complaint; AND ^{exercise my rights to confront} ~~confront~~ those whom harmed me

a. It is my right to correct
wrongdoing and root out public corruption;
to protect my properties; to have stolen property
returned; for government officials and the
government itself uphold the Constitution and Laws
of the United States and not to violate them;

AND
continue
to do so, △

b. Bill 82 violates a plethora
of Constitutional and Civil rights; AND Laws of the
U.S. and creates a new claim against Defendants
County of Hawaii County of Hawaii office of
the Mayor and Mitch Roth; AND ^{these} County Council & Corp
making it void under Article III and as declared
herein. Further, it should never have been a
controversy due to all ~~these~~ "They" are all

□
counsel as
named on
page 6 in
"h",

No. 23-03179 Defendant

Defendant

⊕ And
14th
Amendment
and 13th &
9th and
Bill of
Rights
etc.

government officials representing the United States
as higher officials of the County of Hawaii et al.
therefore, there is no excuse or "good cause"
for not knowing Bill 82 violated my Constitutionally
protected First, Fourth and Fifth Amendments when
it unlawfully seized ownership of my ~~private~~ interests
in my private properties via Bill 82 granting
the government unlawful control and depriving
me of happiness, creating monetary damages, other damages,
committing crimes by misappropriation of public
funds to "steal" my property without equal
protection of the Law or Due Process, which
is protected by the 1st, 4th, 5th and 14th Amendments;
And → unlawful deprivation of my property, etc. AND

□ AND
County of
Hawaii
Corp. Counsel
and County
Council as
named in
Bill 82

⊕ as it
fully
set forth
inserted
herein

Further, Defendants County
of Hawaii, County of Hawaii Office of the Mayor and
Mitch Roth had prior knowledge that public
transportation services on privately owned roads
was (as declared herein) unlawful in my Complaint
as a controversy in Part I of my three-part action;
Also, the County of Hawaii Office of the Corporation
Council and Elizabeth Strance had this knowledge
upon the Administrative Claim that I filed
6 months prior to filing my lawsuit/Complaint;
And definitely had knowledge after I filed
the Complaint in January of 2023 and served
them a copy; And ~~they~~ failed to ensure County Bill and Laws
are constitutional. Therefore, they ALL
in the above paragraph had prior knowledge, and passed
Bill 82 ~~and was a controversy being litigated~~ And this
supports as evidence ^{their} intent to continue
unlawful acts and/or omissions even with
that knowledge would appear to any reasonable
person to fit the definition of "criminal intent"
Still further,

① See Exhibit #37

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expending

See Exhibits #37

for example of an email.

public event

Note: I can provide photos of

most-koneali-kleinfelder at the TJC 2019 event

1 as named on pg. 6 in "h"

Matt Koneali-Kleinfelder also had prior knowledge that public services on private property is unlawful; and caused misappropriation of funds along with property damages in recent emails I've had with him; AND he passed Bill 82 anyway, even introduced Bill 82 himself.

Bill 82
misappropriation of funds prior to Bill 82

I met with him in 2019, and he attended a meeting I hosted by the Justice Council "TJC" where he was informed about unlawful controversies associated with community organizations (including Defendant Fern Forest Community Association) and why they do not have legal authority to represent my interests in property (or otherwise) to the government, its officials, or anyone else. And See Exhibit #37!

AND Bill 82 unlawfully states a community organization is a legal entity that can speak for me. This is a violation of many rights and laws that are obvious; AND NOTICE:

Due to misconduct, violations of sworn oaths, duties, responsibilities, ethics, codes of conduct, lack of human decency, etc. by ALL named herein as the County, this voids any and ALL immunities as government officials;

i. The creation and passing of Bill 82 is a new claim that has been brought to light an additional controversy to those contained in my Complaint (and all its Attachments; Hereinafter known as "Complaint"); And supports granting my Appeal;

1. In Part I of my Complaint, public transportation on private roads using misappropriated funds and violating ALL aforesaid

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rights and Laws, are the same subject matters as Bill 82; AND was passed after the filing of the Complaint was in the process of litigating this controversy produces a New Claim; which supports the need for an injunction and/or writ of mandamus depending on Mayor's signature being a factor after filing this document;

And supports granting ^{mailing and/or} ~~me~~ ^{revoking of} Appeal; AND the Bill 82 controversy;

2. ~~that~~ ^{is} ~~the~~ ^{not} first new claim generated by this controversy of public services on privately owned roads after the filing of my Complaint. (See Opening Brief, filed December 4, 2021, Exhibit #23 ^{its} Exhibit #1-3 ^{of that document} as it fully set forth inserted herein); Also, supporting a need

④
"Misconduct Affidavit"

to stop the County from unconstitutional and Law violations. AND to support granting my Appeal when misappropriated public funds caused ^{me} damages;

a. The County has already misappropriated government time and funds; violated my rights and Laws; created property damage; unlawfully seized control of my interests in my private properties; colluded and conspired with the Fern Forest Community Association ("FFCA"); etc... which would appear to any reasonable person to be criminal and require a Criminal investigation;

□ See Exhibit #28 where County plans misappropriate \$1 million for "connectivity" of private roads as a part of ^{PCBP} ~~Project~~ ^{of 116}

▲ See Exhibit #5 bus schedule says effective Sept, 2021 so two years of bus service then pass Bill 82 is odd

b. The Bill 82 was passed after the fact. Public Transportation has been occurring on my private roads since at least November 12, 2021 when I discovered and photographed the "tele on" bus parked at the FFCA lot; AND I was given a bus schedule by the driver; AND spoke to Defendants: County of Hawaii, County of Hawaii Mass Transit Agency and its supervisor John Andoh on

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▲ The 13th Amendment by forcing me to accept acts that deprives me of my rights; AND by abducting me against my will by abducting my private property;

⊗ public transportation prior to passing the law that implies it was unlawful. One does not need to make a law if what you're doing is already lawful. ~~isn't it~~ ~~lawful~~ ~~unlawful~~

⊗ and/or accessories to crimes or after the fact and/or misprison of a felony

November 18, 2021 in a recorded telephone call with me, that Defendants Caroline Frazier [redacted] and FFCA [redacted] asked for bus service and they ^{the county} accommodated them. This was done without any consideration of misappropriated government time and funds that I pointed out, and more, which was ignored, as declared herein, my complaint and other documents filed in this case. C. Since Bill 82 was passed by the County to make an unlawful law that includes blatant disregard for the litigation process currently occurring about this controversy, this is a type of contempt of Court in the sense that it is arrogant, shocking and rude to just ignore there is a current judicial process about this and pass it anyway. This is a blatant slap in the face to the Court and the public that causes deterioration of public trust and threatens democracy; AND violates U.S.C. § 1583 AN.

1. If they really thought they needed a law to allow public transportation on private roads (or any unlawful control and unlawful seizure of private property) then why did they begin and continue to the present day, public bus service on the private roads I own in common, or any private roads.

a. It would appear to any reasonable person the government is trying to steal my interests in my properties unlawfully through unauthorized control of anyone that is not me; AND this includes "trespassers" under the guise of "general public" the county and state and FFCA etc. It appears to meet the definition of not only criminal intent, but the County aiding and abetting the crimes of the FFCA and its Board members by

□ FFCA = Fern Forest Community Association ||

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colluding and conspiring with each other (see a copy of not only Bill 82, **Exhibit #1** from Facebook and **Exhibit #2** from government website) AND a copy of 2019 FFCA newsletter, page where the FFCA unlawfully claims it wants to give ~~me~~ my interests in my properties to the County against me will **Exhibit #3**;

b. Why make a law for an activity they are already doing?

1. This is contradictory because it is a TACIT Agreement that the activity is unlawful if you need a Law to do it, ~~however~~ unconstitutional Bill 82 is. No government official can commence an unlawful activity and/or omission, or pass a Law to continue that unlawful activity;

a. This supports criminal intent and good cause to grant this injunction; and grant my Appeal;

4 Rights
1. The Ninth Amendment to the Constitution confirms the Laws belong to the people, not the government; AND in combination with my First, Fourth, Fifth and Fourteenth Amendment rights, the government shall not make and/or enforce Laws that deprive me of my properties, liberties and happiness under my equal protection of the Law and Due Process rights; AND CIVIL RIGHTS, AND INALIENABLE RIGHTS!!!;

1. Under Article III of the Constitution any such Laws, Rules, Policies etc are void, along with its consequences; AND

2. citizens are not limited to listed laws; AND

5. Declarations of Facts

a. On January 12, 2024 I was made aware of a Facebook post of a County of Hawaii document on Bill 82 (Draft 4). See Exhibit #1;

AND I am of that group
the people

add #

3. All rights not listed in the Constitution belong to the people;

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b. I noticed the Bill was for, "improving, grading, repairing, or construction work upon private nondedicated, and non-surrendered roads" — Allows for entities who are authorized to make legal decisions regarding private nondedicated, and non-surrendered roads that are open to the general public and necessary for public transportation to request the County, improve, grade, repair, or perform other construction work upon such roads."

1. Any improving, grading, repairing, or construction work upon private roads ^{by the government or} is unlawful

Seizure of private property; AND

(Violates Fifth Amendment (incorporated with 1st, 4th, 9th, 14th Amendments))

a. Is a misappropriation of government time and funds violating U.S.C. §§ 641, 648, 653, and 654; AND 5 C.F.R. §§ 2635, 704-705; which are criminal offenses and violations of public trust!; AND see Exhibit #36;

b. Is a gross egregious abuse of government powers and authorities; as applied to ALL ^{contents} herein;

2. There are no definitions of "nondedicated roads" or "non-surrendered roads". In fact I could find no definition of "road" in the County Ordinances; only "street", as declared in Part I of my three-part Complaint. Due to a lack of definitions for these terms it creates a blurring between public and private properties; specifically roads;

a. The Complete Streets Act of 2021- H.R. 1289 must be complied with and the County doesn't have a definition for "road" in its Laws much less comply with Federal and other States well established standard practices and laws that clearly separate a "public street" from

a corporation whom does NOT own it

(*) separation

A by them;

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a "private road" by ownership. "Streets" are publically owned and "private roads" are owned privately. If there was no such separation private land ownership would not be possible, so, by the County not recognizing this and correcting it after I notified them via this lawsuit shows blatant disregard for private property ownership and my Constitutional property rights under the 4th, 5th and 14th Amendments.

b. Since the County has deliberately blurred that separation it shakes private property ownership to its foundation since if the government can just take my property, by "controlling" it unlawfully, then any reasonable person would conclude private property ownership is a fraud, a deception, and so are County of Hawaii property taxes because public property is not taxed;

1. Separation between public and private property is to benefit the people not the government and "entities" AND either; AND the Defendant FFCA fits this vague undefined term;

a. "Entities" is not defined
b. There is no legal "entity" that has a right to represent me without my voice and vote; and the FFCA prohibits members from voting; AND

1. I have given NO such permission and/or consent to any "entity" to be a member or represent my interests in any way to anyone, government or otherwise; I want to also state the Defendant "FFCA" is not a legal "entity" nor "authorized" as declared in my

* AND to preserve property rights & protect private property from unreasonable seizures of my private properties by the government

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is

~~_____~~ The County, ~~_____~~ unlawful
~~_____~~

to misappropriate government time and funds. So, my consent is a moot point when it would result in a criminal act of aiding and abetting, and/or me being an accessory or accessory after the fact, and/or misprison of a felony to participate in stealing government money, via misappropriation, to improve private property (especially if I hold an interest in that private property), which would fit the definition of receiving stolen government funds to benefit myself, and that is criminal; AND I refuse to give my consent; AND I refuse to misappropriate government funds

C. The terms "non-dedicated" and "non-surrendered" as a part of the Bill 82 language (on top of not being defined, implies a hostile take over". As the County is a corporation, as declared in the title and official position and office

"County of Hawaii Office of the Corporation Counsel". And the FFCA is an unlawfully operating corporation that I did not give my consent to represent me. Even though it is not a shareholder corporation; it did falsely reference itself as such in past newsletters and in Civil Case 16-1-00304;

1. In 16-1-00304, they ^{FFCA} ~~was~~ a Defendant unlawfully under 414D Non-profit corporation; which a shareholder corp. is NOT a non-profit corp.; AND all the other reasons they are fraudulent as declared herein, and in my Complaint, and other numerous documents that I filed in this

and fine in a conspiracy with all the named Defendants herein to do so!

which I have controlling interests in five parcels in FF while FFCA has one or two. Technically I have \$2500 interest and FFCA has \$2500 at least. Therefore I have more interest in the FF than they do. I give me greater controlling interests than FFCA!

15 The entity Bill 82 was designed to give unlawful powers to be control my interests, since the County has ~~no~~ no interest in private property in FF.

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case, as if all fully set forth inserted herein;
2. The use of "non-dedicated"

would imply to any reasonable person that there
is a plan to dedicate; AND

term

policy on how this is defined and/or a procedure
for this anywhere other than eminent domain;
AND that does not apply in my case since the
231 or 30 acres of private roads go nowhere
public or to any public facilities which is
a requirement of eminent domain laws and
procedures. Therefore, eminent domain is a moot point;

Exhibit
#6

1. Further, the aforesaid
private roads I have interests in are agricultural
in an agriculturally zoned area; therefore this
Bill 82 violates HRS §46-16 for agricultural roads
in the state of Hawaii prohibits the County from
any control of private agricultural roads in Hawaii;
b. still further, the "plan" □

□
Bill 82
and HCC
Ordinance
08-116
(Exhibit
#22)

to "dedicate", unlawfully seize ownership via
control, steal, theft by deception my interests
in my private roads by the County can be seen
in Exhibit #7, a copy of a "Draft Puna Community
Development Plan Upper Puna"; AND Note 1,
the FECA's lot AKA "Community Lot" is included.

1. This shows the
close relationship between the County and the
FECA over a long period of time and is unlawfully
included in a County / public government
plan that violates my 1st, 4th, 5th, 9th, 14th,
13th and 11th Amendments to exercise all my rights
therein and/or be protected from violations of
my rights contained therein; as declared herein
this document;

a. No govern-
ment agencies and/or their officials have the power
and authority to violate the Constitution or laws
of the U.S. as seen in the Constitution of Hawaii Plans;
HCC Ordinance 08-116 the PCDP and the Hawaii General
Plan;

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unConstitutional Bills and Laws; blatant abuse of their powers and authorities for their personal gain and/or other reasons; AND destroying all trust;

b. More about the collusion and conspiracy between the FFEA, its Board of Directors, the County of Hawaii and a multitude of agencies and officials, as declared in my complaint; AND some examples are given herein in Exhibits ~~the~~ regarding the unlawful plans by them to unlawfully seize and "dedicate" my interests in my private roads without my consent;

3. the use of the term "surrendered" would appear to any reasonable person to be something that the loser of a war does to the victor; AND a. the legal dictionary defines "surrender" "presupposes the possession or ownership of the thing that is to be returned or given up". It also means to turn over land by a tenant to a landlord and to "give oneself up to law enforcement officials"; to "give up a right";

1. The diction of "non-surrendered" would appear to any reasonable person that there is a plan for me to "surrender". AND against my will through paper tyranny;

2. Also, the term

"surrender" was used before Bill 82, by the Defendant State of Hawaii, State of Hawaii Legislature, Joy San Buenaventura, State of Hawaii Office of the Attorney General, Douglas Chin, Russell Suzuki, Clare E. Connors, David Ige, Josh Green and Holly Shikada, State of Hawaii Office of the Governor, State of Hawaii Commission to Improve the Standards of Conduct, Florence Nakakuni, State of Hawaii Dept. of Transportation, Jade Butay,

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Chamber of Hawaii, Kuuhaku Park, Sherry Menor-McNamara, Bank of Hawaii, Hawaiian Trust Company Limited, Bishop Trust Limited, Matson Navigation Company, Matson Inc, ~~Stafford~~ Stafford Kiguchi, Hawaii Association of Realtors in many of their testimonies on S.B. 2372 "Relating to Private Roads"; (See Exhibit #20); (hereinafter "S.B. 2372");

2. S.B. 2372 is the same substance as County of Hawaii Bill 82 creating the same violations and harms;

a. It supports my claims that the State of Hawaii et al. and the County of Hawaii et al. are conspiring together with the FFCA to unlawfully seize my property; AND corporations are the ones that testify; This creates additional wrongdoings to Bill 82's infractions; AND

1. Plus, the Dept. of Transportation for the State of Hawaii is testifying as public testimony meeting! This is the State of Hawaii creating testimony in favor of itself; AND

a. The Chamber of Commerce of Hawaii even has many business it represents and Matson's is just one of them; Upon examining ^(Matson Inc. + Matson Navigation) further, I discovered that Kuuhaku Park is the Senior VP government liaison and community Relations Pacific. He is also the "Matson Chair";

1. This supports my claims that the government and government officials are conspiring with large corporations to unlawfully seize my property (see); among other conspiracies and fraud as declared in my Complaint, as it all fully set forth inserted herein; And how does a large corporation insinuate "community relations" and "government liaison" are part of Matson Inc or Matson Navigation Companies purpose when it's registered as

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as a profit corporation that does shipping? For profit!
This is not for the community, although the community relies on shipping for supplies does not give them the authority to be a government liaison or conduct community relations as part of its purpose;

c. S.B. 2372* would

consume too many pages in this controversy that the main subject is Bill 82, therefore S.B. 2372 shall be addressed at a later date. I just wanted to tie it in as supporting evidence of how complex, deep and widespread public and corporate corruption is; And

d. supports that the

government and corporate interests are unlawfully commingled and blurs the separation between government and corporations resulting in both undermining my rights as seen in P.L. 103-150 AND County of Hawaii County Council Resolution 205-17; AND other examples;

e. Parting thoughts on S.B. 2372 is that attempted conspiracy U.S.C. § 349 and fraud U.S.C. § 341 and also violates its own State Law HRS § 46-16; This supports how blatant the public corruption is; AND the County of Honolulu and County of Hawaii also submitted testimony; the government cannot testify for itself using its own agencies; The absence of real public testimony is ALARMING; I didn't discover this Bill until it was too late to testify. They don't tell people about anything; they don't even answer calls or letters at the State or County at most offices; AND if you do manage to speak to any officials they do not respond; yet they can steal my properties;

4. The date of Bill 82 Draft 4 in Exhibit #1

(*)
S.B.
2372
is
just
one
example
of
unconstitutional
State of
Hawaii
Bills &
Laws

Although
County of
Hawaii
County
Council
Resolution
205-17
acknowledges
citizens
are
undermined,
it has
unconstitutional
language
in the
resolution
itself;
but that is
for a
separate
petition.

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is December 22, 2023 at Christmas time when the County/government knew the public is distracted; as it is common knowledge that this time of year people are less likely to know about and/or object to Bill 82. This would appear to any reasonable person to be surreptitious, deceptive business practices, avoiding public scrutiny, deliberate, etc. AND supports ALL the other wrongdoings declared herein as one element of the bigger picture to unlawfully seize my interests in my private properties (Again, eminent domain is a moot point; AND neither Bill 82 or S.B. 2372 mention the required compensation for my ^{interests in my} properties; this shows criminal intent to steal my properties because there is no reason government officials should not know ALL facts declared herein since I am the average citizen and I know it while they are supposed to be sworn government officials that uphold and protect the Constitution and Laws of the U.S.; which ALL government officials as named in my Complaint are doing;

C. Further examination of Bill 82's statement, "... roads that are open to the public for public transportation, to request that the County improve ... such roads,";
1. "roads" are undefined in any County Ordinances that I searched; And only "streets" are defined with vague language that blurs the separation of the privately owned "roads" and publically owned "streets" ~~as it is the~~ violating the Complete Streets Act and well established definitions for "streets" and "private roads" across the country;

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2. This means that "..." roads that are open to the public "..." would only apply to publically owned "Streets" and not private roads because private property is defined by control and the County cannot control my private property under the 1st, 4th, 5th, 9th, and 14th Amendments, and Private Property Protection Acts of 2005, 2012, 2017 and 2019 and my "Bundle Rights";

1. Yet Bill 82 unlawfully asserts that my privately owned road is "open to the public". No, by definition of private property anyone who comes onto my private property without my permission is called a trespassing under many Laws, such as HRS §§ 708-814, 708-815, 708-813, the entire Chapter 708 deals with this; AND

1. I can telephone police and make a report to begin the process of legal action against the trespasser to initiate their prosecution; AND this applies also to the County, public transportation, and the general public;

1. Still further, the general public has no reason to drive on my private roads since they go nowhere public or to any public facilities; AND only serves agricultural land in an area zoned as agricultural;

2. Therefore, my private roads are NOT "open to the public" and it is fraud to assert such; especially by government officials whom know better;

3. This "open to the public" word used is deliberate in an attempted conspiracy to steal my land; It is paper tyranny!; And violates the 1st, 4th, 5th, 9th and 14th Amendments on top of U.S. Laws such as U.S.C. § 1349;

Δ
legally

Δ AND that means my private roads are not open to the public by definition of private property it is not open to the public it's fraud

It is unlawful for the County to call a "trespasser" the "public" in an effort to steal my properties through fraud & deception and is unlawful!

⊗ Bill 82 violates the

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3. Additionally the phrase, "for public transportation to request that the County improve such roads," in Bill 82 would appear to any reasonable person to mean that "public transportation" requested the acts of public service from the County;

a. I could find no County agency called "public transportation" or corporation by that name;

1. I could only find the Defendant "County of Hawaii Mass Transit Agency", whom I spoke to the Supervisor John Andoh (Defendant), as declared herein and in my Complaint; And is the County agency that operates County of Hawaii public transportation services (including public bus services); AND

a. "public transportation" "refers to all service involved in the transportation of passengers for hire by means of street..." as defined by the legal dictionary at <https://definitions.uslegal.com/public-transportation>;

b. In light of the aforesaid, any reasonable person would conclude that since "public transportation" requested from the County "public transportation" on private roads, it would mean that a public service (not even an agency but the service of an agency not named in Bill 82) requested a public service ^{an action} to request itself from the County;

1. That is ridiculous!

2. It is deliberate fraudulent

word salad to gain unlawful control and seizure of my interests in my properties; AND without even compensating me for it, just outright blatant theft by deception violating the Constitution; AND voiding ALL immunities under Article III and other Laws;

⊗
hereinafter
"Mass
Transit
Agency"

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3. What "Twilight Zone" is this nightmare where a government service requests a Law to be made? A "service" cannot request itself, It's an action, a verb. An action cannot request an action;

4. Therefore, "public transportation" cannot request an action, as a verb as legally defined; nor as the noun in the name of any legitimate government or corporate name;

5. Further, Bill 82's language of using "public transportation" to request an action by the government would appear to any reasonable person to be associated with the Mass Transit Agency, so why not just name the "Agency" versus the service it provides unless there is something being hidden? ~~And~~ AND is DELIBERATE misuse of government officials powers and authorities (and sworn oaths, ethics, codes of conduct, etc.) to be deceitful; AND FRAUD!; AND

AND 6. Because it is deliberately deceitful ~~because~~ since those oaths and duties, etc. are there for a reason, government officials know they are bound by the Constitution, laws and public trust of the U.S.; therefore, they are aware of what they are doing!; AND

6. The "public transportation" cannot request anything from the government, especially a Law, when such actions are void under Article III of the U.S. Constitution and Laws of the U.S.;

a. The Laws belong to the PEOPLE! not government; AND

b. The government (i.e., the County) cannot make Laws to benefit itself or for the personal gain of government officials and their corporate and real estate interests;

④
and
All my
Amendments
rights

A Bill 82
and
Ordinance
05-116

for examples

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c. Under the Ninth Amendment to the Constitution ALL rights, even those not listed, belong to the people (and I am of the people as a Citizen of the U.S.) and not the government; AND

1. Citizens are not limited to listed Laws;

6. Also, S.B. 2372 and Bill 82 are part of a long term pattern of unconstitutional Laws, Bills, Rules, Procedures and Policies by the State of Hawaii et al Defendants and County et al Defendants, as declared in my Complaint; AND

a. Supports my claims that the wrongdoing of the State of Hawaii government officials trickles down into the County of Hawaii government officials; and ^{down} into the so called "community organisations" that exist unlawfully until there is a festering cesspool of corruption, collusion, conspiracies, crimes and oppression, etc., that we see as declared herein and in ALL documents I have filed in this case;

1. which includes public corruption at the Federal level as well; All mixed with laziness and greed by power drunk government officials and corporate leaders;

7. There has been a long term pattern of corruption, collusion and conspiracy between FFCA, the County, ~~and the FFCA~~ and the State of Hawaii along with their government officials. I have much evidence and many examples besides the above ones herein included with this document; AND those in the following examples:

And gov. officials
of the County;
conflicts
of
interests;
And comm-
ingling
government
and
corporate
interests

paragraph
3 & 4)
shows
lack of
membership
fee & reflects
they charged
bylaws to
make all
FF landowners
a member
against
their will &
denies a
vote if you
don't pay
for it
violates
the
Amendment
to Constitution
and Fraud

⊕
in
combination
with more
examples
herein
and
other
evidence.

Information: No. 23-03179
a. In Civil Case 16-1-00304 Defendant George

Deform and Donna Deform supplied the FFCA with several sets of Bylaws during the discovery phase of the case (which was never complete discovery because the FFCA claimed there was a flood. Note, however years later FFCA makes a website with more paperwork than I was told existed; AND I have maintained the packet of information in fact in the envelope their attorney Defendant Peter Steinberg sent it to me in as proof of what was given to me;

1. In that packet was the 1978 FFCA first newsletter (See Exhibit #10), on page 1, paragraph 2, the real reason the FFCA formed was for "improvement projects in very successful in increasing land values and the 'saleability' of lots."

a. This is not a community or nonprofit activity; it is a civic activity done for private land owners by private land owners FOR PROFIT!; It is land speculation, fraud, conspiracy, etc. as declared in my Complaint; AND

1. Supports my claims of long term plans to conspire to steal my roads interests by the FFCA and the County, especially since Defendant George Deform worked for the County; because that gave him ties to the County from the start; especially in light of All the facts I know now, including S.B. 2072 and Bill 82;

b. The FFCA nor its Board can legally represent my interests in my properties, especially if I don't join their association, which was originally voluntary through an annual membership fee. See Exhibit #10; 1. Problem is they made me an involuntary member, which makes it worse when the Bylaws were unlawfully changed; which is a matter for a Separate Petition; 25 (See Exhibit #29, page 4)

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2. Also, in that packet, I was given the 1979 FFCA ~~newsletter~~ (See Exhibit #11), which states the FFCA contacted various "state and county" officials "to insure consideration in all future planning." So now, they are acting in a political capacity which violates nonprofit IRS laws under U.S.C. § 501. AND the FFCA asserts it "will gain full control" of the Fern Forest private roads; it's unlawful and violates my right to control my property; AND supports my claims of long term pattern of wrongdoing & corruption; long Anti-trust violations etc. and many civil rights

a. FFCA "approached county officials" which resulted in the first mile of pavement of a private road in my subdivision; which is a misappropriation of funds and violates U.S.C. §§ 241, 242, 371, 641, 648, 653, 654 etc.; AND is fraud violation of U.S.C. § 1341 etc.;

1. In addition to admitting their plan to "develop" agricultural land; supporting my claims to unlawfully convert my subdivision to nonagricultural; 2. The purpose of increasing land values; is a subject that disappears during an unknown time frame since there is a lot of missing paperwork for the 1980s to 1990's; I do have some though;

3. Any reasonable person would conclude the FFCA and its Board do not want people to know their true purpose of making profits by increasing land values through self-serving acts and/or omissions; AND have the audacity to falsely claim they are non-profit; in the website, many newsletters, and lawsuits etc.; and the 1979 newsletter; And in 16-100304 claimed it was a nonprofit and a shareholder corp. a. One of these acts is unlawfully representing me to government (who doesn't have lawful authority either to control my interests in my properties); being surreptitious, deceptive and fraudulent;

b. Bill 82 and S.B. 2372 are examples of how the FFCA surreptitiously colludes and conspires with government; (See Exhibits #11, 23, 25, 26, 36 in combination with Bill 82, 2372 and other evidence)

It is neither.

FFCA 1979 newsletter

past history of County and FFCA misappropriating government funds and time; violating my property rights; etc. AND P32 states FFCA won't stop until it has "full control"; which is oppression; And conspiracy between FFCA & County to unlawfully control government of corporate interests and public & private interests

FFCA misappropriating government funds and time; violating my property rights; etc. AND P32 states FFCA won't stop until it has "full control"; which is oppression; And conspiracy between FFCA & County to unlawfully control government of corporate interests and public & private interests

FFCA misappropriating government funds and time; violating my property rights; etc. AND P32 states FFCA won't stop until it has "full control"; which is oppression; And conspiracy between FFCA & County to unlawfully control government of corporate interests and public & private interests

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3. Further, see the 2008 FFCA newsletter that clearly shows collusion and conspiracy with the County for "connectivity" of roads and development; And see County Ordinance 08 116 and the Puna Community Development Plan Steering Committee members (ALL provided in Exhibit # 22) for additional evidence of County Council members Bob and Julie Jacobson (whom were personal friends of Defendant Penny Blair, as seen with my own eyes) and the ^{Defendant} County Planning Dept. conspiring to develop agricultural roads unlawfully; AND

ⓧ
See
Exhibit
#22 for
Ordinance
08-116

a. shows Defendant Kim Tavares as a "steering committee" member while she was simultaneously a Board member of FFCA and its daughter corporation; AND a County of Hawaii employee creates bias and an inability for her to be objective and be fair; It was a conflict of interest and supports my claims of conspiracy between County and FFCA
1. It is a conflict of interest at a minimum and definitely confirms how deep the connections go with corporate and government unlawfully commingling interests and blurring the separation between them threatening democracy and capitalism, and our very freedoms;

□
And
its
PCDP
and current
Action
committee"

b. the fact there is a long term plan, "the County of Hawaii General Plan", "the Puna Community Development Plan" and the Steering Committee (which present day has a realtor as a member; a conflict of interest) supports my claims of a long pattern of unconstitutional acts and/or omissions by the County et al, State et al, and FFCA et al, etc., as declared in my Complaints;

△
See
Exhibit
#23
and #23.1

4. Still further, many government officials have personal interests that will profit by all the

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through ALL the wrongdoings, as declared herein; AND in my Complaint; AND in ALL documents that I have filed in this case No. 23-03179 AND U.S. District Court District of Hawaii C23 00066 JMS KJM as if ALL are fully set forth herein; AND below are a few examples:

9. My Complaint includes 2 (two) Directors of the Defendants County of Hawaii and County of Hawaii Planning Department, whom are Defendants Michael Yee and Zendo Kern;

1. Due to conflicts of interests alone these ~~two~~ ^{ALL of the} above-named ~~two~~ Defendants abused their powers and authorities as government officials for their personal gain and/or other reasons; For example:

a. Defendant Zendo Kern was appointed by Defendants County of Hawaii, County of Hawaii Office of the Mayor and Mitch Roth in violation of HRS § 84-14 due to Zendo Kern owns multiple development business; and ^{Zendo Kern} abuses his position as government official when he uses it in business advertisement (see Exhibits #17 & #18) while simultaneously being the Director of the County Planning Dept; AND is a Defendant as such; And former Hawaii County Council member;

1. AND Zendo Kern owns a parcel of land in my subdivision "Fern Forest Vacation Estates" (hereinafter "Fern Forest" AKA "FF") creating more conflicts of interests; see Exhibit #15; which he commingles his personal interests and assets with a corporation as "joint tenancy" called "Clearstarr"; which appears to be a name used to deliberately shield a corporation called "Clearstar". See Exhibits #15 (pgs. 2-3) and, #15-1, and Exhibits #16-1, 16-2, 16-3 and #19; AND

2. He participated in the unlawful seizure of the FF road names, copyrighted property that does not belong to him

as
named
and
declared
herein,
including
those I
am
requesting
to be
added
as
Defendants.

as declared
in Part I
of my
three-part
Complaint

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in the capacity as a government official, or the public, or government, The FF road names belong to private property owners, as declared in

(*)
("CHPD")

Part I of my Complaint; And unlawfully changed them; which is a plethora of violations; AND harms; including

unlawful County of Hawaii Planning Department's "Procedures for Establishing Street Names - Private Roadways" where item number 2 requires new street names to be "Hawaiian words". This is a violation of my First Amendment right to free speech and is Racism and "Racial Discrimination" against anything other than the Hawaiian Race; AND

thrift by deception of intellectual properties; blurs separation of public & private property

See Exhibit #24

Insert item "b" before "c"; And "b" shall read: See Exhibit #15.1 for an example of serious fraud!

14th Amendments to the Constitution; including equal protection of the Law and depriving me of control of my private property; ALL violations of my Constitutional and Civil rights and laws of the U.S.; a, this unconstitutional

County Procedure prohibits me from naming my own private property by interference with how I name my private property (ies);

2. The second CHPD Director I am addressing as another example is Defendant Michael Yee; AND the same above forecast violations and harms, as declared for Zendo Kern above, also apply to Michael Yee; AND in addition to that, his ownership of FF real estate is 3 (three) lots vs. Zendo Kern's one lot. See Exhibit #12 for Michael Yee's parcels; AND

a, the curious fact about Michael Yee's properties is that they are right next to the Defendant FFCA's parcel, with only one parcel between them (owned by another participant in the conspiracies - to be litigated later);

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see Exhibits #12-14. Not only do the aforesaid exhibits show the close relationship between the Defendants County et al., Michael Yee and the FFCA et al., it includes Michael Yee's brother Randall Yee's corporation Polynesian Investment Company Limited (PIC);

1. See Exhibit #25 for evidence that not only are Michael Yee and Randall Yee brothers; that there is a third brother Brian Yee, whose address is used of his private home as listed with the State of Hawaii Business Registration anyone can "google", as the business address for PIC, as declared in the summons proof of service by the processor server and here now by me as I was present during the entire process because I drove the processor server to ALL locations myself and witnessed facts from the vehicle without being directly involved in the service itself, I was just a driver and witness;

a. I observed the server in a conversation with Brian Yee on more than one occasion; which led to Randall Yee's Law Office at 1000 Bishop St. in Honolulu; AND the processor server returned to the vehicle unable to serve it because the entire floor of the building was closed;

1. Therefore, the server certified mailed the Summons and Complaint; to which PIC produced documents No. 317 and 324 acknowledging service and admitting to "giving" \$75,000 Seventy five thousand dollars of land owners money to Defendant FFCA; AND

2. PIC was a Defendant when the FFCA sued them, along with Senator Hiram Fong in civil Case No. 87-519 in the State of Hawaii Third Circuit when neither parties had "standing" or legal

ⓧ
a matter
for
another
Petition

"87-519"

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proprietary interest in ALL of the interests in the FF private roads; especially since Defendant FFCA didn't own land in FF at the time it filed 87-S19 in 1987. (this is a matter separate to the County injunction and shall be litigated separately);

(*) which the name Fern Forest Vacation Estates itself SMACKS of development and no intention to keep FF agricultural. This dawned on me slowly over the 1 years.

a. This all leads to the original ownership of FF as declared in Exhibit #23 and many other documents I can supply (including government documentation and other sources that Senator Hiram Fong was land speculating with FF. He did not do this alone. He did it with five other men, including another politician Mun On Chun; AND Clifford Yee (the predecessor of Michael, Randall and Brian Yee). Senator Hiram Fong was himself a Defendant in 87-S19, along with PLC and Defendants Finance Realty, Ltd. and Finance Factors, Ltd.; the three corporations that ALL co-owned FF prior to selling most of their parcels by 1959 to R.F. Tongg, who was also a politician, whom sold many lots to individuals by 1959 as documented in many deeds at County of Hawaii Property Tax Office that I have photos of and can provide to this Court; And

1. This means the three corporations had no standing to be Defendants since by 1987 individuals and corporations owned most of the parcels; which came with their percentage of road and easement ownership (Only when I bought land in 1996, NO easements were disclosed to me as far as their surreptitious location (again a matter for another Pleading); AND therefore the three corporations did not control ALL of the interests in the FF roads and/or easements and could not control them or give

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control to the FFCA or anyone, even for road maintenance, this violates everything I listed that this injunction is pursuant to;

2. Still further, the FFCA did not own even one parcel until after the three corporations and the rest of Defendants settled out of Court in a conspiracy to "take over" my interests in my private roads in 1991. Then the FFCA bought the "community lot", so, it had no right to be a Plaintiff, especially since it was a for-profit entity formed for land speculation under the deception of a community entity (See Exhibits #10 and #11);

3. Then there is the curious fact that the PIC doesn't even have a legitimate address to be served, but yet responds to the Summons and Complaint would imply to any reasonable person shrewd and deceptive business practices and violations of attorneys oath, codes, ethics etc.; why hide an investmate company?;

4. Also supporting wrongdoing by Michael Yee is seen in Exhibit #26* that reflects an example of theft of intellectual property, unlawful seizure of it, unlawful control, etc., when not only is this unlawful and a misappropriation of government fine and money, and as declared in the Exhibit #26; it is a huge conflict of interest since he owns three parcels in FF (next to FFCA and PIC, whom are all land speculating). It is bias, he personally gains by it; AND it's racial discrimination because the new names (names that already existed were stolen and altered against my will and consent and did not meet the criteria of "establishing" a name when names already existed) are required to be Hawaiian, as declared previously herein;

(*)
I didn't find out about this Exhibit #26 until March 12, 2022

b. ALL of the afore declared controversies, and ALL those contained herein support my claims of a long term pattern of public and corporate corruption that blurs the separation between government and corporate interests, public and private properties and those between agricultural and non-agricultural lands; AND are ALL good causes to grant my requests as declared herein;

1. AND because the harms created in the past have far reaching affects on me, and every citizen in the State of Hawaii, especially land owners it must be stopped. Therefore, the Court should enjoin with me to do such, especially in light of the magnitude with which the public and corporate corruption has spread that even the County created Resolution 205-17 to address it; even though parts of it are also unconstitutional.

a. Currently there are many Bills and Laws like Bill 82 that need addressing, but this is a start;

2. The following are just a few examples of ~~modern~~ additional facts that support the collusion and conspiracies of land speculation (which unlawfully converting my land from agriculture would be fraud since I was sold agricultural land is an implied warranty and more) abuse of power, deception, fraud public and corporate corruption, etc and violations of my Constitutional and Civil Rights and Laws of the U.S.;

a. The fact that Senator Daniel Inouye's son owns land in FF, along with many realty companies, and even Spectrum; I can provide proof if needed;

(*) which charging road names, public transportation, etc. are residential activities designed to unlawfully charge the land usage as a stop to convert FF to vacation rentals;

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violations
of
USC §
241, 242,
1344, 1346,
1349 etc.

that on top of many conspiracies, there is attempted conspiracy to convert the FF to non-agricultural use. I didn't really put all this facts together until recent years because fraud and deception take time to discover due to their nature of the beasts;

d. The FFCA ^{has a plan to} unlawfully ~~steal~~ ^{seize} control and ownership of the FF roads, by theft. It is outright theft, there was No vote and as I said they obstruct my vote; they have no legal authority or deed that gives them that power;

A produced themselves

e. Even the deed (one of them) that the FFCA and Defendant Penelope Blair is seen is Exhibit #27, where the FF roads are owned by tenancy in common; AND on page 2 since FFCA owns this lot, ~~it has~~ ^{it has} 1/3000 interest in Roadway Lot 8214 as registered in the State of Hawaii Land Court Application No. 1053. Therefore, the FFCA cannot give away the "roads" or "steal" them to give them away (which would make the FFCA obsolete because both the Courts and the FFCA don't need to duplicate road maintenance services, which Bill & would do). It doesn't make sense, but the evidence does not lie. It is their own words!

FFCA

it is on their deed

f. Therefore, ownership of the roads is not in dispute even ~~by~~ ^{because} ~~they~~ ^{they} claim to somehow own the roads in the 2022-2023 FFCA newsletter contradicting themselves again. (See Exhibit #29, page 6);

g. Exhibit #27 is an unlawful transfer of property and fraudulently reports the FFCA sold the lot for "one dollar", however on page 3, the Property Tax Office states the sale was \$55,000, as does the conveyance tax reflect that amount on ~~page~~ ^{page} 1; this is a discrepancy of \$54,999!;

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ALL of
these
facts

1. [REDACTED] would appear to any reasonable person to be fraud and money laundering violating U.S.C. §§ 1341 and 1956 and more in;

2. The matter of the deed being an unlawful transfer shall be in a separate Petition later;

3. Exhibit #27 also reflects evidence that the FFCA did not even own land until 1993 (pg. 2 of 3). This means it did not have ~~any~~ of or any interest in controlling any roads, it didn't have a proprietary interest in ^{because} in any roads until 1993. That means they had no standing and got control of everyone's interests by a handful of several individuals whom have oppressed and forced steered my community into ~~isolation~~ and indentured servitude; AND is doing with government officials; AND

confirms the FFCA did ^{a. Exhibit #32, page 6} not own land prior to 1991 ~~[REDACTED]~~
the date of the Court Judgment

d. ~~There is~~ ^{ALL of this} related to Exhibit #29, page 6 and the false claim by the Defendants County and County of Hawaii Property Tax Office and Deanna Sakoi which shows conspiracy and collusion to unlawfully enter false information into a government database violating U.S.C. §§ 241, 242, 1001, 1018, 1341 etc. and theft by deception;

1. First wrongdoing involves the unlawful theft of the easements by the FFCA and Defendants PIC, Finance Realty Ltd and Finance Factors Ltd. that occurred in 1992 before the FFCA owned any proprietary interests in the roads since it did not own property as declared herein (Exhibits #27 and #32 verify no property ownership prior to 1993 (and 1991) ^{for #27} ^{#32}) therefore, they had no legal authority to receive the easements for "good compensation";

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Note:
theft of
easements
is
for a
separate
petition

It is
relevant
to
corruption
and
shows
conspiracy
w/ county
to steal
rds
using
1992 Deed

It was the FFCA's receipt of stolen goods and they received it from parties whom also had no legal authority or right to sell it to the FFCA;

2. The odd fact that

I was completely unaware of the "easement" deed and the theft of the easements until an email I received from CTHPD on February 11, 2021.

See Exhibit #34, emails that had the 1992 deed for easements, hereinafter known as the "1992 Deed", attached to that email (see Exhibit #34);

3. The problem with

the County of Hawaii Property Tax Office's use of a 1992 Deed for easements is fraudulently used by the County to falsely enter FALSE information by a branch of the government, into a government data base; violations of 241, 242, 1001 1018 etc. and is conspiracy with the U.S.C.S. to defraud land owners into believing the FFCA owns the roads of my subdivision using a 1992 Deed for easements;

a. Roads and

easements are not the same commodities, and this is well established common standard knowledge;

b. the County Property

(and FFCA asserting FFCA owns FF roads)

Tax Office controls the Land Court App. 1053, my property deeds, the FFCA property deed, the Judge Freitas in civil case 11-1-00304 ruled easements belong to the property owners; AND I have the transcripts to prove it; and even the County Planning Dept as reflected in the Exhibit #34 pg 2 where they states "the roadway is collectively owned by all the lot owners in the roadway."

1. This is

fraud and theft by deception and, as declared herein, connected to a plethora of wrongdoings;

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And supports my claims of long term unconstitutional acts and/or commissions by the County (as declared herein) and their conspiracies with FFCA and its Board;

2. The County is criminal by entering an unlawful business, with an unlawful deed to the easements, into their government database that the FFCA owns the roads using a deed for easements when they are two separate things; And use the easement deed to falsely claim FFCA owns the roads; AND is a stepping stone to unlawfully convert FF into non-agricultural use attempted conspiracy and conspiracy violating U.S.C. § 241, 242, 1001, 1018, 1341, 1349 etc. And Antitrust violations; And Private Property Protection Acts of 2003, 2013, 2017 and 2019;

c. the next example of County and FFCA collusion and conspiracy is seen in Exhibit #30 where "Council Woman Jen Ruggles Adds the Forest" to bring in public transportation of the "Hula-On" bus into my subdivision (privately owned); AND references the "connectivity plan";

d. then there is the 2021 FFCA newsletter, Exhibit #29, where it states on page 6 that the FFCA owns the roads, "according to the County Tax Map"; which is FALSE, as seen in previous declarations herein and their Exhibits; the land owners own the roads and the FFCA and the County are in collusion and conspiracy to steal the roads;

→ e.

See Exhibits 1-9 and my second request to amend complaint filed in District Court with 2023 claim of property damages & misappropriation of public funds

f. My last example of collusion, conspiracy and rights violations is seen in the 2022-2023 FFCA newsletter (Disclaimer, I have not had to read the current 2023-2024 FFCA newsletter); and included as Exhibit #28;

1. It mentions the "plan", "connectivity", County Council, 11 million dollars, Senator Jay San Buenaventura, County Council member Matt Kanehiki-Kleinfelder; and lava recovery and Covid funds; AND

2. See Exhibit #37 that supports my claims the County and Matt Kanehiki-Kleinfelder had knowledge Bill 82 was illegal and violated laws & Article III prior to passing it

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① Constitutional
AND CIVIL
rights

② U.S.C. §
1961-1968

7. In light of ALL the aforesaid, a long term, convoluted pattern of public and corporate corruption and a plethora of rights violations, AND violations of U.S. Laws, it would appear to any reasonable person to be ~~Antitrust~~ Antitrust Violations, Sherman Act 1890, Clayton Act 1914, Federal Trade Commission Act 1914, And Racketeering, And Trade Practices Act of 1974 (Nissan case), The Theft Act of 1968, fraud, conspiracy, And violations of U.S.C. § 1957, § 1038, 1001, 1018, 1346, 1641, 1646, 1653, 1654 etc., as declared herein;

a. Plus, the Legal Opinion of Attorney General Ashley Moody of Florida - "Advisory Legal Opinion- AGO 79-14" that clearly states, "A municipality may not lawfully expend public funds to repair or maintain privately owned roads or streets located within the municipality" confirms it is also unlawful for the County et al. to do so as well; especially under the Full Faith AND Credit clauses in Article IV, Section 1 of the U.S. Constitution; AND b. violations of all the rights and Laws listed herein, including legal opinions, and the following:

A
throughout
herein

House Bill 4 LC 21 0914ER by State of Georgia Rep. Franklin of the 43rd, "Life, Liberty and Property Restoration Act" and Vermont Law Review "Reflections on Bundle Rights" ALL apply to this document and the requests for reliefs herein; AND supports good causes to grant me ALL of my requests in full;

□
Knowledge
of
public
transp.
being
unlawful
private
roads

8. Declaration regarding my standing to be a litigant in this case was already confirmed in civil Case 16-1-00304; and in Exhibit #34, page 2 where the County even lists one of my properties ~~at~~ TRK 3-1-1-027-053; a. So, this topic is past any point of rebut and rebut;

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*
herein
after
"corporation"
includes
the info
in
parenthesis
spellers?

9. Therefore, due to ALL the contents contained herein supporting my claims contained herein this document of: fraud; deception; misappropriation of government and corporate time and funds; Constitutional and Civil rights violations; violations of multiple U.S. laws; negligence and/or wilful acts and/or omissions to commingle government, government officials, corporations (and their owners and/or Board members, and or CEOs) interest with each; commingling government, government officials and corporate "plans" to land speculate through blurring the separations between public and private property ownership AND agricultural and non-agricultural lands (which includes residential activities of a public service to benefit ^{forced} private property owners whom include government officials) with public time and funds on private agricultural roads that go nowhere public; property damage; theft of land and attempted theft; unlawful seizure of my control and happiness of my private properties; indentured servitude (due to FECA's membership definition being unlawful); racial discrimination; public and corporate corruption; oppression; false statements made by FECA and government and government; (Land its' Board) false statements by FECA and government and government officials into government databases; violations of many U.S. laws and rights included those not listed herein; Antitrust violations; Private Property rights; Acts, Bundle rights etc.; violates Agricultural Acts; government and corporate officials violating The Complete Streets Act and Farmland Act and the RICO Act; AND government and corporate officials violating their oaths, duties, ethics, codes of conduct and human

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decency; AND without consideration for even their own offspring and how their acts and/or omissions will affect them much less me or any other citizen, The Defendants named herein are drunk with power and have abused their positions for personal gain and/or other reasons; etc. (1) ^{to cause me harm;}

①
Everyone
I have
spoken to
about this
is
shocked

a. ALL of this destroys ^{my and} public trust in government and in corporations; which trust is critical for democracy and capitalism in order to flourish and even exist; therefore, the acts and/or omissions, as declared herein this document, are threats to democracy and capitalism;

1. Especially when private property is sold as agricultural (including the private roads as a package deal) and then I discover later that it is fraud because a surreptitious long term "plan" I was unaware of that began well before 1959 with A.F. Tongg selling lots to individuals (i.e., name of subdivision itself "Fern Forest Vacation Estates by Senator Airam Tongg"), AND well before the birth of the FECA in 1976; AND well before I bought my first of five lots in 1996; AND the "plan" is at best reflected in the name of the

⊗
name
of
subdivision
implies
it is
not
agricultural
didn't
dawn
on
me
until
years
later

FF as early as 1959. It started sooner, but for the purpose of this document 1959 is way before I bought land thinking I bought agricultural land and it never occurred to me the government and a corporation would unlawfully change it;

a. especially using ^{public streets areas} residential services of public transportation is not an agricultural and/or private property activity. It is residential. The County et al, and FECA et al, themselves began the "residential" public services themselves as a

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*
hereinafter
known as
"wrongdoers"

So, that the wrongdoers, as named herein through
this document, *AND as named in my Complaint
pertaining to the subject matter herein this
document (as if ^{ALL are} fully set forth inserted herein),
can abuse their government and corporate powers
to unlawfully seize control, and my happiness, in my
private properties through the act of public trans-
portation services being forced upon me against
my will (under the fraudulent guise of "public
safety") (with misappropriated government and corporate
funds) in order to falsely claim that my
subdivision's usage has changed to residential
use when they (as named herein this document)
are the very ones that changed the usage, not
the land owners; AND supported by:

□ And
the blurred
separation
between
public & private
property; AND
agricultural
& residential
land; AND
gov. & corp.
interests

Δ
without
my
consent

1. That public transportation is only one
of several unlawful ~~activities~~ public activities by the wrongdoers, as
declared in Part I of my Complaint, such as
unlawful changes to private road names, as
touched on herein this document; AND

2. The Defendants/wrongdoers created the
residential activities themselves as a step to convert
Puna agricultural subdivisions to non-agricultural
use for their personal benefit and/or other
reasons due to the unlawful abuse of government
and corporate officials' positions and conflicts
of interests, that commingle government and
corporate interests unlawfully; AND

3. The conspiracies to violate the
Constitution and Laws AND attempted
extend beyond public transportation
and converting Puna into residential
and vacation rental use for land speculation
and profit; but to literally enslave me and
(See Exhibit #45 for rest of ~~sentences~~ paragraph)

① S.B. 2372
is attempted
indentured
servitude;
AND FFCH
membership
is
indentured
servitude

conspiracies
U.S.C. § 1349

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⑥ See
Exhibit #44
for many
examples of
fraud &
lying by
gov. officials

△ AKA
inconsistent
statements,
AKA false
statements,
AKA
misrepresentation,
AKA
fraud, AKA
deception;

10. Still further, lying by government and corporate officials, as seen as declared herein this document, by Defendants County of Hawaii, County of Hawaii Office of the Mayor, Mitch Roth, CIPD, Zendo Kern, Michael Yee, County of Hawaii Tax Office, Deanna Sako, FFCA and its' multiple Board members, ~~ALL~~ ALL UNDER THE COLOR OF LAW, and in a long term pattern of collusion and conspiracies with each other, conflicts of interest, frauds, deceptions, misconducts, violations of the U.S. Constitution and Laws, and their oaths, duties, ethics and codes of conduct, etc., have all lost ~~AND VOID~~ (and ALL) Immunities AND:

a. Any acts and/or omissions not compliant with ~~Article III~~ the Constitution are void; AND
b. Once a party is caught lying and/or ~~committing~~ perjury

the Court can disregard ALL of their documents, testimonies, affidavits, orders, rulings, decisions, statements, etc. as false from those parties; AND

c. Deception is a criminal act as a Class A misdemeanor under Indiana, Burns Ind. Code Ann § 35-43-3; AND ~~that~~ I demand it be applied as my right to be protected from criminal acts & deprivations

d. fraud and theft under criminal code section 2913.01 applies herein this document to the wrongdoers which includes compensation for unauthorized use of my property and/or any required restoration;

e. Also, ALCO Act's provisions for "honest services" is relevant to this Bill 82 Injunction; AND

f. False declaration before a Court (such as Civil Case 87-519, the 1992 fraudulent deed for FF easements being registered in the State of Hawaii Land Court, ALL of the Defendants Motions to Dismiss Complaint for the "bogus" causes they listed, such as font style) violates 18 U.S.C. § 1623; AND

g. Dunn v U.S. 442 U.S. 100 (1979) upheld

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that false statements/perjury, "in" offends the most basic notion of due process. (Source casetext.com); AND Judge Seabright fits this definition, as declared in my Opening Brief; AND the wrongdoers, as declared herein have also made false statements, violating U.S.C. § 1621 (perjury) and U.S.C. § 1623 (which can result in fines and/or imprisonment of up to 5 years); AND this applies herein throughout this document;

1. Further, the estoppel bar prevents contradictions and/or from someone claiming something different from what was said, acted, and/or omitted before the party altered the prior, original, previous claims;

1. Therefore, I was sold private property; AND

2. I was sold agriculturally zoned lands where I co-own the roads and easement with ALL the other 3,000 or so land owners in FF - AND

3. Under express, implied and other warranties I was guaranteed that my deed (my receipt) was true and correct; especially since the State of Hawaii Land Court Appl. 1053 and the Bureau of Conveyances state my land ^{and roads are} privately owned; and so are the roads ~~contradicting~~ the tax office, Deanne Sako, FFCA, Melissa Fletcher and other FFCA Board members

4. The attempted conspiracy of Bill 82, SB, 2372, combined with the conspiracies goals already reached (such as HCC 08-116) threatens not only my civil rights, violates laws, causes me harms (financial, emotional, physical etc.), ~~this~~ ALL threatens my private property ownership itself and my warranties; AND (See Exhibit #45)

4. The equitable doctrine entitles me to remedies; AND for ALL of my Demands ^{to be} granted;

"DEMAND" since they are legally different. In a Demand I am ~~exercising~~ my rights not asking for permission for something. I am demanding my rights to due process &

① Anything the term "request" or "request" or "requested" is used, it is to read and mean

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I. ALL of the wrongdoing of false statements, fraud, deception, lying, perjury etc. are ALL acts and/or omissions that obstruct justice; which violates U.S.C. § 1985, which is also a crime; AND

II. ALL of my Exhibits, ~~and~~ and this document, is physical evidence that fits the definition of "burden of proof"; AND

a. "Burden of proof" is a legal standard to demonstrate if a claim is valid or not, and relies on facts, and due process, truth, and Law, to accomplish this;

1. I have provided a stack of Exhibits that support my claims whereas the Defendants have lied, made false statements, and were deceptive and obstructive, fraudulent, etc.; AND is the opposite of truth and facts; AND

a. Any reasonable person would conclude that I am the party that presented the facts and truth; which gives my claims the weight that meets the "burden of proof"; AND

2. I have met the legal standard for "burden of proof" by the "preponderance of the evidence", as defined in Karch v Karch, 885 A.2d 535 in the Superior Court of Pennsylvania; AND

3. I have met the legal standard of "clear and convincing evidence" as defined in Colorado v New Mexico, 467 U.S. 310 (1984) from the "Wex" legal dictionary, "the evidence is highly and substantially more likely to be true than untrue."; And in this case and herein this document the wrongdoers themselves produced their own evidence against themselves;

a. "clear and convincing" is the legal standard for criminal trials, and supports my demand this Court refer this to the appropriate authorities for investigation of the crimes, as declared herein, and as declared in my Complaint in Full;

12. I demand candor and fairness of this Court, the Judges, and ALL ~~attorneys~~ attorneys

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that is involved with this litigation in ANY way, as defined in Iowa Supreme Ct. Bd. of Prof, Ethics, and Conduct vs Plumb, 546 N.W. 2d 215, 217-218, (Iowa 1996); AND to uphold the U.S. Constitution and Laws of the U.S.; AND to uphold ALL of their sworn oaths, duties, responsibilities, ethics, codes of conduct, etc. in ALL of their dealings, documents, depositions, etc. in this case; AND

(*)
Defendant

a. Especially Judges whom represent the Court and a branch of the United States and America itself! Their acts and/or omissions shape our country now and for generations to come!

1. This case is a matter of preserving

DEMOCRACY; AND ^{This Court has the power to grant remedies under Article III to Constitution, U.S.C. §§ 241, 242, 533, 401-403, 1981-1986, Δ}

Δ
1341-1346,
1968, 2233,
and as
declared
herein
this
document.

13. In light of ALL the contents contained herein, this document supporting my claims of a long term pattern of unconstitutional acts and/or omissions, along with civil rights violations, and violations of U.S. Laws, it is highly likely the wrongdoings will not only continue, but will escalate; AND

a. The evidence has already supported wrongdoings have escalated over the years; AND

b. Therefore, the Court should GRANT

IN FULL the following Demands:

1. Bill 82 is unconstitutional on its face and ^{as applied to me.}
Due to Bill 82 having been passed by Defendants County of Hawaii's County Council, it is sitting on the County of Hawaii Mayor's Office and Mitch Roth's desk to be signed into an Ordinance as of this writing. This means neither myself nor the Court would be made aware of whether it was signed by Mitch Roth or not prior needing to grant an Order to either prevent it from being passed in a permanent injunction, OR an Order of writ of mandamus to revoke the Law that Bill 82 would become if signed; AND

a. Therefore, both are required to

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hereinafter
"HCC"

HCC 08-116
is unconstitutional on its
face and as applied here

hereinafter
"PCDP"

ensure my Constitutional rights are preserved,
protected and guaranteed, along with my inalienable
rights; I moved to FF to get away from development
and residential areas;

Grant a writ of mandamus to revoke
Hawaii County Ordinance 08-116, the Puna Community
Development Plan since it violates 1st, 4th, 5th, 9th,
11th, 13th and 14th Amendment rights to the U.S.
Constitution, violates Laws of the U.S. and unlawfully
"paved the way" for Bill 82 as a part of this
"plan" to "develop" Puna when Puna is mainly
agricultural lands; AND "development is opposite
to agricultural activities. See Exhibit #46 that
Defendant State of Hawaii produced claiming agriculture
is on the rise but on page 2 of 3 it states Hawaii
Island lost 89 acres (which reflects zoning changes
of agricultural land to nonagricultural use) AND
refers to Puna as "agricultural lands" and law
supporting my claims that Puna area is mainly agricultural;
AND not to mention Hawaii Island's nickname
in the "Orchid Isle" and the "Agricultural Isle".
It is the breadbasket of Hawaii and should
be preserved under Agricultural and Farmland Acts;

The title of HCC 08-116 says it ALL,
not to mention the collusion, conspiracies, Antitrust
violations, etc., that created HCC 08-116, and
its' unconstitutional nature make it VOID under Article
III to the Constitution and therefore HCC-08-116
should be revoked; AND especially since the
government cannot control (i.e. "plan") any
"development on private property, especially with
misappropriated public funds; AND

3. Grant the addition of the following
wrongdoers involved in the new claim of Bill 82
and were instrumental in other wrongdoings
such as promoting and exercising unlawfully the
PCDP.

as it fully set forth

47

An
Order
and/or
writ of
mandamus
for

as named &
declared in
paragraph
10, 11, 12 on
page 6 of
this document
inserted herein

to be
added
to this
case

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3. New Defendants shall be added to my case:

County of Hawaii County Council, Matt Kameali'i-Kleinfelder (introduced Bill 82), Heather Kimball, Jennifer Kogi Wada, Susan Lee Loy, Michelle Galimba, Rebecca Villegas, Dr. HOLEKA Inaba, County of Hawaii Corporation Counsel and Elizabeth Strance; AND

4. Grant and Order a writ of mandamus to dissolve the Puna Community Development Plan's "Action Committee"; AND

5. Grant and order of a permanent injunction to prohibit any "connectivity" plans of ~~the~~ Fern Forest Vacation Estates privately owned roads by the County of Hawaii and any of its agencies or government officials, and by Fern Forest Community Association to any other private subdivisions such as "Eden Roc" or any other private subdivision; AND

6. Grant and order a writ of mandamus to revoke the Defendants' County of Hawaii, County of Hawaii Office of the Mayor, Mitch Roth, CHPD, Zendo Kern, Michael Yee, Grant Nagata, Mary Aiken "Procedures For Establishing Street Names" - Private Roadways". It is unconstitutional on its face as applied to me; AND

7. The above-named Defendants cannot make a Procedure that violates my constitutional and civil rights and inalienable rights. It is void under Article III to the Constitution (1st, 4th, 5th, 9th, 11th, 13th, and 14th Amendments)

8. It also violates the Constitution with racial discrimination when "the Procedures" unlawfully require the use of Hawaiian words resulting in discrimination against ~~ALL~~ ALL other races but Hawaiian; AND

hereinafter known as the Procedures

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7. I demand this Court provide me a copy of ^{ALL} the documents that I have filed with this Ninth Circuit ^{with} that contain the Court's "mark" that it was filed with the date and time, including my "Response to Pkt. 7.1", my "Extension Petition", my "Opening Brief" and this document "Bill 82 Injunction"; I have yet to receive any such Court "marked" documents thus far, as of this writing; AND I even provided more than one copy of each document to the Ninth Circuit; ^{AND this document too}

8. The Court should ^{grand and Order a} invoke its powers to refer the claims about criminal activities to the U.S. Attorney General's office outside the District of Hawaii; AND

9. This Bill 82 Injunction contains important information that is an Addendum to my Opening Brief, as a supporting document for "good causes" to grant my Appeal; ^{supports granting my Appeal} Therefore, this document ^{is} 14. In closing, this "Bill 82 Injunction" Affidavit of Truth is an affirmation, a declaration and demand document that I swear ~~to~~ true and correct and complete under the penalty of perjury;

a. Under U.S. v. Kis, as stated in first page of this document; AND requires development of facts for each and every point (ALL points contained herein); AND requires a handwritten notarised signature (in this case from a Judge) ~~to~~ be legal, valid and "binding"; ^{being} b. failure and/or refusal to do so is your, with your ALL Parties in this litigation, and the Judge(s); agreement by silence by "TACTI PROCURATION" that ALL the points and contents (everything) in this Bill 82 Injunction Affidavit of Truth, is true, correct and complete

b. ALL Parties named as Defendants and the Ninth Circuit Court and its Judge(s) have 30 (thirty) days from receipt of this document to rebut and/or respond, and/or agree, and or be silent ^{which is an agreement} by "TACTI PROCURATION"; AND resulting in ALL

A writ of mandamus or other such document as is proper.

And supports my claims to grant the "Freedom Lives Act" as declared in my Complaint

to the best of my ability and knowledge that all contents contained herein this document are

① failure and/or refusal to respond is in agreement by silence by "TACTI PROCURATION"

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of my demands granted in full as declared herein this document AND shall be binding and legally enforceable to exercise the demands as contained herein;

15. Signed, notarised and sworn as true, correct and complete, under the penalty of perjury:

Thunderfoot

Thunderfoot Pro Se

P.O. Box 840

Volcano, HI, 96785

(808) 345-3075

msthunderfoot@yahoo.com

January 29, 2014
Date

cc: Third Parties and National Media

United States Court of Appeals
For the Ninth Circuit

No. 23-03179

USDC No. C23 00006 JMS KJM

Thunderfoot

Plaintiff-Appellant

United States, et al ^{versus}

Defendants-Appellees,

Certificate of Service

Served pursuant to the Federal Rules of Civil Procedure:

The undersigned hereby certifies that a true and correct copy of the foregoing document was duly served upon all parties having appeared in this case via CM/ECF on the date received and filed with this Court; And on the following parties by USPS to William Watkins at P.O. Box 45 Mountain View, Hawaii, 96771 and George and Donna DeLorm at P.O. Box 345 Mt. View, Hawaii, 96771 after notarizing this document and mailing it as soon as humanly possible; And is not necessary to serve on any parties in Default of answering the Complaint;

Thunderfoot

Thunderfoot - pro se
P.O. Box 840

Volcano, HI 96785

ms.thunderfoot@yahoo.com

(808) 345-3075

January 19, 2024
Date

HAWAII NOTARY ACKNOWLEDGEMENT
(INDIVIDUAL)

State of Hawaii, County of Hawaii SS.

On January 29 2024, Thunderfoot, appeared before me personally, to be known to be the person described herein, and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

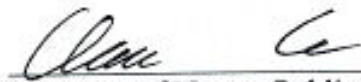
Description of Document : Official Notarised Affidavit for Ninth Circuit U.S. Court of Appeals

Case No. 23-03179

Title : "Plaintiff-Appellant-Affiant Thunderfoot's URGENT Petition For A Permanent Injunction Regarding Defendant's County of Hawaii's, County of Hawaii Office of the Mayor's and Mitch Roth's Bill 82; And To Add Additional Defendants; And a Writ of Mandamus to revoke Ordinance 08-116; And Exhibits #1 - #46; All by Affidavit of Truth; And Certificate of Service

Date of Document : January 29, 2024

No. of Pages : 208 (two hundred and eight)


Signature of Notary Public



Claire Cea
Printed name of Notary Public

6/11/2025
Commission Expiration Date
State of Hawaii Third Circuit



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page 1 of 1

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6. In the 2016 FFCA newsletter, Exhibit #3, page 2 that reflects the County and County Council member Danny Paleka for adding road speed limit into County Code (but there is no definition of road I could find anywhere in County Ordinances); but does confirm collusion and conspiracy between all parties involved, and supports my claims, as declared herein; Note: the newsletter is the 2016-2017 newsletter; 1. It also states on page 2 that the FFCA and its Board are "talking" with the Defendant State Department of Transportation to acquire road bed material; which is a "plan" to misappropriate government time and funds and is at the very least attempted conspiracy;

Ⓢ Misappropriation of gov. funds is defraud the U.S.

Δ See Exhibit #1 where County Tax Dept. changes zone from agricultural to residential unlawfully at the Anialoa subdivision

2. Further on page 3, the Board is currently in dialog with County Council Representatives concerning the Puna Connectivity Plan. We hope it will be a platform to establish minimum standards roads that can be turned over and managed by the County. We feel that the model used for Anialoa/Hawaiian Acres "would be beneficial to our community and help FFCA achieve its stated bylaws goal of turning over one or more roads to the County."

a. So, the FFCA decided this without a vote; AND it is not in any bylaws I've seen or voted on; AND I am prohibited from voting by FFCA and its Board. If it is in their bylaws now, it is illegal because it is not in any version of their bylaws they submitted in Civil Case 16-1-00304; AND I still have them all; but that matter of bylaws is for a separate petition; AND the FFCA just decided it without vote

b. supports my claims of collusions and conspiracies, government and corporate corruption and commingling interests, gov. and corporate officials land speculation; AND c. supports my claims the co-conspirators as declared herein this document, are blurring separation between government & corporate interests;