

MA KE KAHOHA O NA KIULE NUI MA KO HAWAII PAE AINA MA KE KANAWAI MAOLI

IN THE NAME AND BY THE DE JURE AUTHORITY OF KO HAWAII PAE AINA

RE: STATE OF HAWAII, INC, LINDA LINGLE, )  
DANIEL K. AKAKA, DANIEL K. INOUE, )  
MARK J. BENNETT, NEIL ABERCROMBIE, )  
Individually and in the capacities of foreign offices of )  
Employment under an occupant regime, JANE DOES )  
AND JOHN DOES 1- 1000, AGENCIES 1-1000, )  
ASSOCIATIONS 1-1000, CORPORATIONS 1-1000 )  
COMMITEES 1-1000, COMPANIES 1-1000, )  
PERSONAL REPRESENTATIVES 1-1000, )  
INSTITUTIONS 1-1000 BANK OF HAWAII, )  
FIRST HAWAIIAN BANK, CENTRAL PACIFIC )  
BANK AND ANY AND ALL TRUSTS PRIVATE )  
AND PUBLIC CREATED BY THE STATE )  
OF HAWAII, INC., AND ANY AND ALL DERIVED )  
THINGS WHATSOEVER UNDER, BY, FOR AND )  
THROUGH THE STATE OF HAWAII, INC., AND )  
IT'S ASSIGNEES, PREDECESSORS, NOMINEES, )  
REPRESENTATIVES, AGENTS AND TRUSTEES, )  
DEFENDANTS. )

ORDER OF DE JURE GRAND JURY  
INDICTMENT AGAINST THE  
STATE OF HAWAII, INC. ON ALL  
COUNTS OF RACKETEERING,  
GENOCIDE AND MONEY  
LAUNDERING; FACTS, FINDINGS  
AND CONCLUSIONS IN LAW;  
ORDER OF INDICTMENT.

Date of Decision: March 29<sup>th</sup>, 2010  
Time: 7PM HST  
Location: Moku aina o Maui

Filed and Received  
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Aha Hbokolokolo Kiekie

ORDER OF DE JURE GRAND JURY INDICTMENT AGAINST THE STATE OF HAWAII, INC. ON  
ALL COUNTS OF RACKETEERING, GENOCIDE AND MONEY LAUNDERING; FACTS,  
FINDINGS AND CONCLUSIONS OF LAW; ORDER OF INDICTMENT.

The de jure Grand Jurors of the moku aina o Maui, comprising of the islands of Kahoolawe, Molokini, Lanai, Maui and Molokai within and for the original jurisdiction of ko Hawaii pae aina, duly volunteered and selected, impaneled, sworn, charged and organized as such at the request of the People of ko Hawaii pae aina of said district for all of them, lawfully convening as a sovereign court of the people under Article XLVIII of the Civil Code, did upon their oaths present in and to the de jure sovereign court Aha Hookolokolo Kiekie (Superior Court) that on March 29<sup>th</sup>, 2010 during the January term, and before the presentation of this Indictment, in the moku aina o Maui, that the DEFENDANT, the STATE OF HAWAII, INC., a foreign occupant administration under the direct and apprised leadership of Linda (birthname Cutter) Lingle, a.k.a. Linda Crockett Lingle, Daniel K. Akaka, Daniel K. Inouye, Neil Abercrombie, Mark J. Bennett, singularly and in concert with any other representative of the de facto "State of Hawaii, Inc.", all of the agents, agencies, associations, corporations, the subordinates in offices

un Kahaohokona o keia palapala hooia i  
malo: Palapala hooia 03030010-GR1  
ma ka Hale Kahuu Hoopu ana o Ko Hawaii  
Pae Aina. ma keia ia 3/30/10 o ka hola 2pm

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with them in their individual and professional capacities, ALL DOES, etc. with those persons employed by, licensed by the state and its corporate entities created under and by that entity having to do with knowingly laundering hidden private probate estates and assets for the purpose of gaining proceeds therefrom, hereafter styled "Defendant," including its and their predecessors in occupancy, did unlawfully, intentionally and knowingly pursue and is now actively pursuing to perpetuate crimes of racketeering, money laundering and genocide against the kanaka Maoli and with them the People, in more particularity described crimes such as security frauds, identity theft, deceptive trade practices, racial economics, libelous slander of title and further violations of international humanitarian rights of all People victimized by the Defendant's criminal pursuits.

The victims of the Defendants crimes, are the People of moku aina o Maui, moku aina o Hawaii, moku aina o Oahu, moku aina o Kauai and the moku aina o ko Hawaii pae aina the archipelagic nation, including every individual who has been guaranteed title to property in the "State of Hawaii, Inc." by contract, conveyances and or transfers whether in finance or realty, who has been made by false obligation to pay, remit or otherwise to the Defendant real property taxes, licenses, education tuition and healthcare, and foreign United States obligations allegedly backed by assets and other securities in which falsely portrayed private property or privately held assets had been pledged, causing tortuous injury and damages to the People.

Under the Defendant's organized regime, the People cannot find remedy with the Defendant as judge and juror hearing its own crimes and issuing its own justice for itself, its officers and employees. This matter has been brought by the People to the Aha Hookolokolo Kiekie for remedy in convening under the auspices of de jure laws, the Grand Jury has reviewed the facts, proof of evidence and testimonies, and did present its Findings, Facts and Conclusions in Law with this Order of Indictment for settlement by the Aha Hookolokolo Kiekie.

The de jure Grand Jurors did further present as a basis that the Defendants crimes are systemic and are consequences of an illegal act, that during the time from Jan. 17, 1893 to present, the Constitutional Independent Sovereign nation of ko Hawaii pae aina, also called "Hawaii, Hawaiian Islands, Hawaiian Kingdom, the Kingdom of Hawaii", with all of its People and de jure government did not consent to, nor ever ratify an agreement causing transfer of jurisdiction in and to all patented rights, title and interests vested and owned by private patentees, their heirs or powers vested in the de jure government of ko Hawaii pae aina, to the United States of America, the United States, USA Inc. nor to

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the Congress of the United States, or of America, that the Constitutional sovereign Queen Liliuokalani, with the de jure government body did become victims of kidnap, identity theft, identity fraud, extortion and forgery in their predators' (now the Defendant) pursuits to effect an illegal fix of trade, the first illegal act which has led to consequences that the Defendant plays an active role in at present.

The Defendant, from Jan. 17, 1893 to present, did falsely present to the victims through their ancestors and predecessors up to the victims time in which they became illegally obligated to the Defendant by false means, that the Defendant "owned" their private properties, rights and interests, or that Defendant guaranteed through its agencies, money transmitters, licensed brokers, banks, trust companies and judicial substitutions, that the People (victims) did buy, or would purchase title, assets and other items with clear disclosure within the occupant rule of law, called the Hawaii Revised Statutes, State Constitution and Federal law of the United States.

The People have discovered for themselves, and the Grand Jury being satisfied of its factual existence and circumstances in what is a unique situation in ko Hawaii pae aina, that all of the private properties within and to, ko Hawaii pae aina, is and are within open and sometimes bonded probates in which there is located the private patented titles and assets, having never been delivered out of such probate proceedings. Evidently, without a Court Order of Final Distribution and Delivery of Patented Estates, personal property and Escrow the title granted to the People as guaranteed by Defendant, it's co-conspirators, agents and co-partners, the People paid for nothing but a false obligation. The Defendant is a criminal organization pursuing the laundering of hidden private probate assets under the guise of mortgage and or other pledged instruments invested in by defrauded shareholders, etc., and is in fact a criminal racketeering organization (as defined in Blacks Law, Title 18 USCA, sections 1951-1960).

It is further presented by the de jure Grand Jury, that Defendant encourages and is coercing innocent purchasers to aid and abet in its/their plan to seize assets under the disguise of illegal foreclosures, liens and such other deceptive means, and if not stopped will continue to victimize the People under and by such disguised mechanisms to launder private probate assets in order to compound title issues Defendant has created.

These are the facts presented by the de jure Grand Jury to the permanently fixed Aha Hookolokolo Kiekie (Superior Court) within the non-transferred original jurisdiction of ko Hawaii pae aina.

STATEMENT OF FINDINGS, FACTS AND CONCLUSIONS IN DE JURE LAWS AND OCCUPANT  
RULE OF LAW VIOLATED BY DEFENDANT.

The Defendant, since Jan. 17, 1893 to present, has actively pursued the crimes stated herein by firstly preventing the legal notices of private probate estates process to the judicial devisee's, heirs and beneficiaries of the decedent whose estates are in their custody, violating rules and duty of the clerks of the circuit courts (a substitution for Hawaii Postal Savings Bank, Organic Act sec. 75) Hawaii Probate Rule No. 88, Civil Administrative Order 7.2, and de jure kanawai Chapter XXXV, XXXIV 1859 Civil Code. It is a fact that the clerks of the substituted circuit courts under the direction of the Defendant, actively prevent People from accessing their private probate records and impede any lawful effort of the judicial devisee's, heirs and or beneficiaries to gain information and access that is lawfully due to them, establishing a criminal capital foundation for financial fraud and deception powered by pirated assets.

The Defendant, since Jan. 17, 1893 to present has actively pursued the crimes stated herein by directing the de facto judges of the substitute circuit courts to appoint certain "trust companies" to act as custodians of the private probate estates owned by the heirs, namely First Hawaiian Bank, Bank of Hawaii and Central Pacific Bank in the substitute circuits, encouraging and allowing said companies to use and manipulate such private probate assets to produce income, making an appearance of legitimacy.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by authorizing money transmitters and other financial institutions to collateralize, hypothecate, sell and manipulate private probate assets, while guaranteeing protection against lawsuits brought by injured owners through Defendants control of the legal industry, making appearances which link local law enforcement of trespassing to Defendants claimed authority.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by guaranteeing political and judicial protections to occupant councils while passing approvals of development projects, subdivisions and other large contracting endeavors that utilize private probate estate assets, and that also displace the vested patent title holders.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by guaranteeing the political and judicial protections to occupant developers and investors in the securities, instruments and contracts backed by private probate estate assets, or in which there are pledges of the Peoples private probate estate assets.

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The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by utilizing private probate estate assets that Defendant does not own nor have right of claim to, in international contracts, developments, collateralizing and financing, defrauding the People.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by falsely representing to investors and purchasers that they would receive title, rights and interests to land and resources, through Defendant's claim of an "annexation", however the private probate estate assets have never been delivered to Defendant by an alleged "annexation" or other act requiring ratification of jurisdictional transfer, effectively defrauding and extorting the People.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated by falsely impersonating the de jure government under the disguise of an "overthrow" and "revolution,"; however the factual elements of the time are inapplicable to the claim, and it is found that the de jure government and governed are presently belligerently occupied in their civil rights and revenue.

The Defendant, since July 4, 1895 to present has actively pursued the crimes herein stated through illegal liens, foreclosures, seizures, condemnations and forced auctions of private probate estate assets, buildings as assets thereon, the improvements and other additions to the property which defrauded purchasers owned not knowing they were and are being deceived to believe that they "bought" title to the asset, causing reprehensible injury to occupant families and vested judicial patented devisee's.

By the above stated, Defendant further extorts money from the victims through laundered private probate estate assets by claiming that the defrauded buyers (victims) are obligated to make payments to the Defendant on a pledge for loans in exchange for the delivery and transfer of patented title, that Defendant knows without a shadow of a doubt that said title has never passed outside of private probate process.

The de jure Grand Jury did present that the Defendant is a surety and guarantor of the illegal claim to the private probate estate assets, that the Defendant is responsible for its/their actions. The Defendant is and has been concealing and disguising the identity of the illegally obtained proceeds (from private probates being withheld) so that they appear to have originated from legitimate sources.

The de jure Grand Jury did present private probate estates owned by the judicial devisee's and heirs and their beneficiaries, are free from foreign claims, the Kumu Kanawai a me ke kanawai Hooponopono Waiwai (Magna Carta, or Bill of Rights and Settlement of Estate) July 7, 1839 is a

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prejudgment claim of possession and settlement of estates made antecedent to foreign occupation and illegitimate control of private people's private assets in open probate proceedings.

In calculating degree of liability, the Grand Jury finds the example of a 1992 case of Waikiki Beachcomber v. AMFAC, Honolulu, wherein attorneys, the agents, officers, etc. directing or participating in an illegal and undisclosed transfer of conveyances, are all held criminally responsible with liability determined by their actions. There are other examples, but we need not get into a memorandum of law.

The Defendant could not and cannot at present justify one hundred and seventeen years of claim to the victim's money, property, rights and private probate estates it has and is withholding.

OF SPECIAL CONCERN TO THE GRAND JURY

Defendant has been and is conducting illegal and highly prejudicial foreclosures without appropriate and due process, which serve to pass on liability of Defendant's criminal actions to whomever it/they "sell" to. We find an example of that in Appellate Court Case No. 23930, Mellon Mortgage v. Bumanglag (97-4720). The issues are applicable and result in the vacating and dismissing of the foreclosure judgment, deficiency and summary. The factors are, 1) the mortgage company did not respond to Bumanglag and evaded federal laws governing the note/mortgage, 2) the case was terminated and yet continued without legally required reinstatement, which reached beyond statute of limitations and 3) the mortgage company failed to file a requisite Pre-trial statement. The Supreme Court of Hawaii in case No.'s. 24628 and 24788 affirmed the Intermediate Appellate Court ruling, setting legal precedent for the lower courts to follow as court rule of law. The general precedent that all else following thereon, becomes null and void including claims of transfers is a common law doctrine for title examiners and guarantors to use as a legal guidepost, avoiding possible criminal liability on insurance.

The Defendant received inquiries on full disclosures on the use and false pretenses regarding the hidden source of its income production, the private probate assets which remained unanswered. Defendants only reply was/is to pursue political and juridical campaigns targeting and vilifying victims.

The Defendant knowingly failed/fails to provide Documentation which satisfies the U.S. Federal Rules of Evidence 901 and 902, also occupant rules HRE 901 and 902, in regard to the ratified transfers which notes and Mortgages are based on. The Defendant cannot prove nor cannot produce the ratified transfers which authenticate the legally required delivery of title from the open private probates to the

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victims who were guaranteed by the Defendant to have title in order to pledge for a “loan” of money or credit which in turn created under false presentment that victims were told they owed a legal obligation.

The victims requested Proof of Evidence showing legal court orders distributing and disbursing Private Probate Estate Assets with legal ratified transfers to Defendant. Simple authenticated documentation of title meeting standards under statute 12-10-1845, and Legislative Act 10-26-1846, legally conducted probate delivery and other certified documents were /are requested to meet requirements of authentication.

The Defendant encourages and pursues the active “selling” of fraudulent and false securities and instruments to the deceived consumers, investors and purchasers of stock, who are also victims. See Title 15 USC, Chapter 2B, Security Exchanges, The Foreign Corrupt Practices Act i.e. where Defendant falsely portrays it/they are the owner of private probate estate assets which provide the source of it’s/their proceeds.

Defendant’s corrupt enterprise began with the judiciary substitution, in 1895 established in claim of writing on April 30<sup>th</sup>, 1900 (organic Act), with the holding company being the circuit courts illegally obtaining control over the victims’ private probate estates assets, under concealment and contrary to occupant and de jure laws, the de facto judges under the Defendant’s direction appointed personal representatives to take custody of the said assets, which under further concealment and disguise were/are used to back instruments for the productions of illegally gotten proceeds. Defendant’s criminal organization includes the direct control and management of the title and escrow companies in Hawaii, maintaining systemic omissions of the private probate estate records and causing an appearance of legitimacy to title by its non-disclosure of an absent required legal transfer in each chain of title Defendants claims to “sell”.

The Grand Jury did further present the issue of whether an annexation, a claim in writing by Defendant is capable of spontaneously substituting delivery of over 6,000 original patentee’s private probate estate assets which in de jure law and occupant rule, require private individual disbursement and distribution by the governing laws of patents. It is a fact that in said claim, there is the omission and non-disclosure of the facts regarding victims open private probate estates, and thereby is a document of concealment and disguise of illegally obtained private probate estate assets. (Joint Resolution No. 55 issued by the foreign US congress).

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By the above, the Grand Jury did decide that Defendant could not claim to own, possess, cede, annex, take nor control victim's private probate estate assets by or through an alleged annexation executed by an occupant regime with the United States, nor could the United States claim to have substance offered to it by the Defendant.

Defendant claims to have control of "ceded" lands, however one cannot cede what does not belong to them, and by physical and documented evidence remains as it does at present, within open private probate estate proceedings in the court of first instance.

Defendants claim in writing, that Defendant received title by virtue of such documents of concealments are false and without basis in law and in fact are as against the human right to inherit. Defendant has denied this right to the kanaka Maoli as targeted out of all People dealt with, which the Grand Jury finds is an act of genocide. Genocide defined as: a systemic killing or attempted extermination of a racial or cultural group of people, and as further defined under UN Resolution 260 III (A).

Defendant has and presently pursues the active genocidal displacement of the kanaka Maoli people by withholding their inheritances and forcing them into abject poverty, altering their identity, denuding their natural resources, occupying their civil rights and revenues and denying them legal and judicial protections in any law.

The private Probate proofs are held in the circuit courts (original wills in the Supreme Court), under the control of the de facto executor(s) (Defendant), and concealed by the Defendant in order to perpetuate money laundering, racketeering and the ongoing genocide of the kanaka Maoli.

### COUNTS OF INDICTMENT AND SPECIFIC UNLAWFUL ACTS

#### COUNT I

Defendant pursues a Conspiracy to defraud the People of ko Hawaii pae aina and the United States, in violation of occupant rule, Title 18, United States Code, Section 371, carrying a penalty of Five years imprisonment. By perpetrating title fraud with the intentions to sell, monetize and secure instruments for investments thereon by the United States the Defendant demonstrates a conspiracy jointly and together to defraud the United States (people, government, private and public) in whose treaty, statute and laws such invalid contracts would not be guaranteed in cross border/interstate and international commerce.



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COUNT II

Defendant pursues a Conspiracy to commit money laundering, in violation of occupant rule, Title 18, United States Code, Section 1956(h). Defendant's actions in encouraging and providing defective title services thereon, conducts income made from the hidden source of assets located in private probate estates.

COUNT III

Defendant violated and pursues to violate occupant rule Title 18, United States Code, Section 1341 and in violation of all Universal Postal Union Treaty Articles, International laws public and private, by utilizing the mail service to conduct the transference of documents, instruments and proceeds or contracts, Defendant facilitates mortgage fraud, security fraud and title fraud. When convicted, the Defendant will face the following potential maximum penalties on these counts charged: 5 years for conspiracy (18 U.S.C §371); 20 years for money laundering conspiracy (18 U.S.C. §1956); 20 years for mail fraud (18 U.S.C. §1341, and in addition may be subject to litigation by the un-named judicial devisee's whose probate records are of Defendants knowledge without legal transfers, required to conduct legitimate transfers in an International tribunal.

COUNT IV

Defendant has violated and pursues to violate occupant rule HRS 560:1-106: knowing that it has been utilizing private probate estates still open and in process, and legal nor equitable title vested in the devisee's/heirs has never passed to Defendant as alleged, Defendant knowingly indorsed defective title then enriched itself/themselves illegally by monetizing instruments derived from hidden private probates, misinforming victims that they were obligated to pay for, thereby perpetrating money laundering, security fraud, mortgage fraud and investment fraud.

COUNT V

Defendant has violated and pursued to violate the occupant rule HRS 431:20-113: and is 100% liable for underwriting of title standards to instruments and document contracts that are defective and illegal while said underwritten contracts are being used to hypothecate properties insured knowingly to gain from derivatives while not disclosing probate estate patent title (the source of derived income) remaining vested in the devisee's/heirs and said assets are actually in their ownership.

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COUNT VI

Defendant has violated and pursues to violate the occupant rule, HRS 480-2: Deceptive Practices: Hawaii Revised Statutes § 480-2; The occupant Hawaii Supreme Court has concluded that if advertising has a "capacity to mislead" it may violate the Hawaii Unfair and Deceptive Trade Practices Act. First, it is much easier to prove a violation of H.R.S. § 480-2 than it is to prove a claim of fraud (although in this case, it is blatant). Unlike a fraud claim, to prevail in a H.R.S. § 480-2 case, the victim does not have to demonstrate that the advertiser intended to mislead the consumer. Indeed, the consumer must only demonstrate that the advertising has a "capacity to mislead." The second reason H.R.S. § 480-2 is so important in the protection of Hawaii consumers is the damages that are recoverable. An investor or consumer injured under H.R.S. § 480-2 may recover actual damages trebled (multiplied by the power of three), attorneys fees and costs. Attorneys, officers, and everyone who contributes to the crime of deception bears a liability and responsibility to the victims of fraud.

COUNT VII

Defendant violated and pursues to violate the occupant rule, HAR Title 16, Ch. 14, SubCh. 4, section 16-104-25 (3) SubCh. 3, section 16-104-19. Ownership of Land requirements *and* Advertisement materials are approved by the Director of the DCCA on every subdivision built in Hawaii. Defendant had to know about the preexisting conditions it approved for lending, and had to have title information about the subdivisions. The public offering statement required to demonstrate the transparent ownership of the legal title (to land) is supposed to show consumers, who owns the legal title being "sold" and insure delivery of it. The victims were deceived by Defendants intentional non disclosure, "where a party purchases or leases real estate in the possession of another not his vendor or lessor he is chargeable with knowledge of all the rights of the party in possession." Yee Hop v. Young Sak Cho, 25 Haw. 494, 505 (1920). The party in possession just happens to be the judicial devisee's trust, and the open bonded probate estates, and the occupant executor is liable for return of income to the principal.

COUNT VIII

Defendant violated and pursues to violate occupant rule, the US Federal Act, the Truth in Lending Act, 15 USC§1601 et seq. 12 CFR Part 226, §1635 states in effect, TILA (Truth in Lending Act, 15 USC §1601 et seq; 12 CFR Part 226) allows three (3) years to review Disclosure Documents. Any contract loan (mortgage/note) that is related to federal funding and insuring, such as by FDIC is governed

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under this act, the associated statutes and federal rules. The referenced 'Three Day Right to Cancel' must have a trigger to begin. That trigger, is when the Lender has provided the Borrower with ALL of the required Disclosures under TILA, C.J.S. §2-9, 11-20; Registration of Land Title§7, 12, 31-32, Uniform Land Security Interest Act, ALTA, RESPA, SEC, NASD, HPR, UPC, and statutes of Civil Code 1850; Chapter XXXII, Section 1447 and HRS §431:20-113 and HRS §603-21.6 Probate, among other laws affected by Defendant's Non-Disclosure. The Truth in Lending Act (TILA) found in 15 U.S.C.A. section 1601, et. seq. was enacted to "protect consumers and promote the 'informed use of credit.'" *Washington v Americquest Mortgage.Co.*, 2006 WL 1980201, \*6 (N.D.Ill., 2006). As such, TILA requires creditors to conspicuously disclose certain terms, costs and information prior to a credit transaction. *Id.* This information includes, but is not limited to, the annual percentage rate and "finance charge," order of disclosures, and use of different terminology. 15 U.S.C.A. section 1632(a). The Statute of Limitation on a TILA action is one year for closed ended credit cases pursuant to 15 U.S.C.A. section 1640. The exception to the one year statute of limitation is when the remedy sought is to enforce the right of rescission under 15 U.S.C.A. section 1635. 15 U.S.C section 1635 provides that in any consumer credit transaction in which a security interest is retained or acquired in any real property which is used as the residence of the person to whom credit is extended, the obligor has the right to rescind the transaction until midnight of the third business day following the consummation of the transaction **or the delivery of the disclosures required by the Truth in Lending Act, whichever is later**, by notifying the creditor of his intention to rescind. 15 U.S.C section 1635. 15 U.S.C section 1635 applies to loans on unimproved lots that are intended for recreational or residential use. *Charnita, Inc. v. F. T. C.*, 479 F.2d 684, 686-87, (C.A.3, 1973). The Defendant now illegally evades its legal contractual obligations set by governing law of the contract – TILA.

A close perusal/audit of defrauded purchasers' mortgage documents has revealed certain Disclosure Violations; and, that the Borrowers have the remedial right and remedy (UCC 1-201 (32) (34)), inter alia, to invoke Right of Rescission (ROR) as further evidenced by the original NOTICE OF RIGHT TO CANCEL.

COUNT IX

Defendant has violated and pursues to violate occupant rule, Title 18 USC, Pt. 1, Ch. 42, § 891-896, "(2), Extortionate credit transactions are characterized by the use, or the express or implicit threat of the use, of violence or other criminal means to cause harm to person, reputation, or property as a means of

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enforcing repayment. Among the factors which have rendered past efforts at prosecution almost wholly ineffective has been the existence of exclusionary rules of evidence stricter than necessary for the protection of constitutional rights. "(3) Extortionate credit transactions are carried on to a substantial extent in interstate and foreign commerce and through the means and instrumentalities of such commerce. Even where extortionate credit transactions are purely intrastate in character, they nevertheless directly affect interstate and foreign commerce."

COUNT X

Defendant has violated and pursues to violate occupant rule Title 18 USC, CH. 13, Pt. 1; § 241. Conspiracy against rights: If two or more persons conspire to injure, oppress, threaten, or intimidate any inhabitant of any State, Territory, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured - They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life. § 242. Deprivation of rights under color of law: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined under this title or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

COUNT XI

Defendant violated and pursues to violate occupant rule HRS 502-83: Without recorded transfers of record within Hawaii at the Bureau of Conveyances pursuant to Statute, claims are void and unenforceable documents. Defendant cannot prove delivery of patented title via judicial transfer which is required by constitutional statutes on descent and distribution to the heirs and devisee's of the decedent Patentee or successor Patentee. The Defendant is not of record as required by Statute, having not

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possessed and not having in hand, a de jure judgment of divesture required by law from the title holders, and thereby is barred from enforcing any unrecorded claims.

COUNT XII

Defendant violated and pursues to violate occupant rule **HRS 508-1: Risk of Loss:** Defendant guaranteed a void contract via it's claimed predecessor, and thereby had taken the Risk of Loss (100%) one hundred percent or to the degree of its personal and negligent liability in addition. The defrauded victims and beneficiaries/judicial devisee's did not receive legal or equitable title to the property as *guaranteed* by Defendant/ predecessor in writing, and as paid for by the deceived victims in this matter. The Defendant has taken and guaranteed to itself/themselves the Risk of Loss that it takes through liability for its/their actions. Any victim that incurred liability due to the Defendant's false and empty claims are with the Defendant if they were a "seller", or broker or acting agent to transfer false claims for the Defendant. Victims incur no liability under this rule.

COUNT XIII

Defendant violated and pursues to violate occupant rule, Title 18 USC, § 2 (1970), Anyone who aids, abets, counsels, commands, induces, procures or willfully causes another to commit an offense in violation of any U.S. statute is guilty as a principal of the crime so committed. It is apparent that all officers, agents, and employees or persons who assist in the criminal taking of the subject property and profits unjustly from it, may have or will participate on an illegal foreclosure, falsified transfer to hide sources of income to extort money or property under a false obligation for which there is criminal penalty.

COUNT XIV

Defendant has violated and pursues to violate the United Nations Resolution No. 260 III (A), by actively pursuing acts of genocide against and upon the kanaka Maoli people, as defined under such resolution in article 2, by (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group. The kanaka Maoli are the descendants of the original inhabitants and discoverers of Hawaii and who established the archipelagic sovereign territories, possessions and naturally accreted lands, under and above the waters and islands known as the Constitutional nation of ko Hawaii pae aina. ("Hawaii"). By holding kanaka Maoli

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inheritances, excluding them from participation in their own governance, denuding food and water sources, withholding finances, rights, education and healthcare and forcing genetically modified organisms into their diets during uncontrolled testing and experimentation by the US military affecting their resources, and their obvious resulting demise for the Defendants intents and purposes of illegally obtaining proceeds from such acts, there are clear acts of genocide.

COUNT XV

Defendant has also violated and continues to violate the Hague Relations, Geneva Convention on genocide, according to the 1948 Geneva Convention, genocide is defined as "acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group" by holding kanaka Maoli inheritances, excluding them from participation in their own governance, denuding food and water sources, withholding finances, rights, education and healthcare and forcing genetically modified organisms into their diets during uncontrolled testing and experimentation by the US military affecting their resources, and their obvious resulting demise for the Defendants intents and purposes of illegally obtaining proceeds from such acts of genocide.

COUNT XVI

The Grand Jury further presents a list of Specified Unlawful Activities under the U.S. Money Laundering laws and rules used during administrative occupancy of ko Hawaii pae aina by the Defendant, and by Defendant's own making, does admit to the same to have violated and is pursuing to violate to wit: Crime/Statute Aircraft piracy/Title 49, USC Sec. 46502 Alien smuggling/Title 8, USC Secs. 1324\*, 1327\*, 1328\* Arms export/Title 22, USC Sec. 2778(c) Bank fraud/Title 18, USC Sec. 1344\* Bank robbery and burglary of government property/Title 18, USC Secs. 2113, 2114 Bank Secrecy Act crimes/Title 31, USC Secs. 5322\*, 5324\* Bankruptcy fraud/Title 11, USC Sec. 101\* and Title 18, USC Sec. 152 Bribery/Title 18, USC Secs. 201\*, 215, 224\* Congressional or Cabinet officer assassination/Title 18, USC Sec. 351 Conspiracy to kill, kidnap or maim a person or injure certain property in a foreign country/Title 18, USC Sec. 956 Contraband cigarettes, trafficking in/Title 18, USC Secs. 2341\*, 2342\*, 2343\*, 2344\*, 2345\*, 2346\* Copyright infringement/Title 18, USC Sec. 2319\*\* Counterfeit goods, trafficking in/Title 18, USC Sec. 2320\* Counterfeiting and forgery/Title 18, USC Secs. 471\*, 472\*, 473\*, 500, 501, 502, 503, 513 Customs crimes/Title 18, USC Secs. 542, 545, 549 Destruction by explosives or fire of government property or property affecting interstate commerce/Title 18, USC Secs. 844(f), 844(i) Destruction of aircraft/Title 18, USC Sec. 32 Embezzlement and theft/Title

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18, USC Secs. 641, 656, 657, 658, 659, 664, 666, 669 Emergency Economic Powers Act crimes/Title 50, USC Sec. 1705 Espionage/Title 18, USC Secs. 793, 794, 798 Export crimes/Title 50, USC App. 2410 Extortion and threats/Title 18, USC Sec. 875 Extortionate credit transactions/Title 18, USC Secs. 892\*, 893\*, 894\* Food stamp crimes/Title 7, USC Sec. 2024 Foreign corrupt practices/Title 15, USC Secs. 78m, 78dd-1, 78dd-2, 78ff, Foreign law violations: extortion; fraud against a foreign bank; kidnapping; murder or destruction of property by means of explosive or fire; narcotics; robbery/Title 18, USC Sec. 1956(c)(7)(B) Fraud and false statements/Title 18, USC Secs. 1001, 1005, 1006, 1007, 1014, 1027, 1028, 1029, 1032, 1035 Gambling/Title 18, USC Sec. 1084\* Health care fraud/Title 18, USC Secs. 287, 371, 1347 Influencing, impeding or retaliating against federal official by threatening or injuring family member/Title 18, USC Sec. 115 Kidnapping/Title 18, USC Secs. 1201, 1203 Labor-management financial transaction fraud, union embezzlement/Title 29, USC Secs. 186\*, 501(c)\* Mail fraud/Title 18, USC Sec. 1341\* Mail, theft from/Title 18, USC Sec. 1708 Malicious mischief/Title 18, USC Secs. 1361, 1363 Murder on a federal facility/Title 18, USC Sec. 1111 Murder of employees of the U.S./Title 18, USC Sec. 1114 Murder of foreign officials, official guests or foreign protected persons/Title 18, USC Sec. 1116 Narcotics offenses/Title 21, Secs. 841, 842, 843, 844, 846, 848, 854, 856, 858, 859, 860, 861, 863, 952, 953, 955, 957, 959, 960, 962, 963 National resource conservation/Title 42, USC Sec. 6901 Nationality and citizenship, unlawful procurement/Title 18, USC Secs. 1425\*, 1426\*, 1427\* Obscenity/Title 18, USC Secs. 1461\*, 1462\*, 1463\*, 1464\*, 1465\* Obstruction of justice/Title 18, USC Secs. 1503\*, 1510\*, 1511\*, 1512\*, 1513\*, 1518 Ocean dumping/Title 33, USC Secs. 1401, 1901 Passport and visa crimes/Title 18, USC Secs. 1542\*, 1543\*, 1544\*, 1546\* Peonage and slavery/Title 18, USC Secs. 1581\*, 1582\*, 1583\*, 1584\*, 1585\*, 1586\*, 1587\*, 1588\* Presidential assassination, kidnapping or assault/Title 18, USC Sec. 1751 Prohibited transactions involving nuclear materials/Title 18, USC Sec. 831 Racketeering/Title 18, USC Secs. 1951\*, 1952\*, 1953\*, 1954\*, 1955\*, 1956\*\*\*, 1957\*\*\*, 1958\* Securities, fraud in the sale of/(Undefined)\*\*\*\* Sexual activity, transportation for illegal/Title 18, USC Secs. 2421\*, 2422\*, 2423\*, 2424\* Sexual exploitation of children/Title 18, USC Secs. 2251\*, 2251A\*, 2252\*, 2260\* State felonies: arson, bribery, dealing in obscene matter, extortion, gambling, kidnapping, murder, robbery, narcotics/Title 18, USC Sec. 1961(1)(A)\* Stolen property, trafficking in/Title 18, USC Secs. 2312\*, 2313\*, 2314\*, 2315\*, 2318\*, 2321\* Tariff Act/Title 19, USC Sec. 1590 Terrorism/Title 18, USC Secs. 2332, 2332a, 2332b, 2339A Trading With The Enemy Act/Title 50, USC App. 16 Unauthorized sound and video recordings, fixation and trafficking in/Title 18, USC Sec. 2319A\* Violence against maritime navigation and fixed platforms/Title 18, USC Secs. 2280, 2281 Violence at international airports/Title 18, USC Sec. 37 Water pollution/Title 33, USC Sec. 1251 and Title 42, USC

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Sec. 300f Wire fraud/Title 18, USC Sec. 1343\* Incorporated from the definition of "racketeering activity" found in Title 18, USC Sec. 1961, the Racketeer Influenced and Corrupt Organizations Act. \*\* Copyright infringement is an SUA under the money laundering law (Title 18, USC Sec. 1956) and is incorporated from the U.S. RICO law (Title 18, USC Sec. 1961). \*\*\* When Congress incorporated the predicate acts of the RICO law, called "racketeering activity," it did not exclude the U.S. money laundering laws (Title 18, USC Secs. 1956 & 1957). Thus, the anomaly exists that a money laundering violation is a "specified unlawful activity" under the money laundering laws (Title 18, USC Sec. 1961). \*\*\*\* "Fraud in the sale of securities," which is incorporated from the U.S. RICO law (Title 18, USC Sec. 1961), is not identified by a particular statute in the RICO law.

COUNT XVII

The Grand Jury further present a list of Specified Unlawful Activity under the ko Hawaii pae aina Bill of Rights and Constitutional Guarantees to the People, The Defendant did violate and pursues to continue to violate the law of the land, the occupant rule under United States of America that for itself and its agencies, did ratify and bind itself in law to the Article Third, of the Treaty of Commerce and Trade dated 12-23-1826, to "never to infringe upon the law of the land" of and to ko Hawaii pae aina, and Defendant as it's agent, violated and pursues violations of the Kumu Kanawai a me ke kanawai Hooponopono waiwai (Magna Carta, Law of the Land) which governs the patented archipelago, said patents are a species of Treaty and Domiciliary Laws. The character of said kuleana duly patented, and legally described and referenced under legal passage of Title by a Judicially Confirmed Court Decree and Issuance of Royal Patent Grant, Legislative Act June 7, 1848; Enacted Statute March 8, 1848 Ka Mahele, validated Land Patenting System.

The patent when recorded and registered, serves as notice of Pre-Emptive Right in accordance to First Right of Title, the ASSIGNEE is holder in due course of landlord's lien upon said property, herein known a kuleana held within the 33 1/3 % koe nae na kuleana o na kanaka covenant law of all royal patents and court certificates of title. Duly recorded in Laws 1848 p. 22, C.C. p. 374 by legislative authority and Magna Carta. GOVERNING LAWS: Pursuant to the Magna Charta and Declaration of Rights (6-7-1839), the Constitution of Ko Hawaii Pae Aina (10-8-1840), Declaration of Royal Patented Domain (3-16-1854) and Treaty (5-16-1854); Constitution of (1840 through 1887) and pursuant to Declaration of Queen Liliuokalani of Constitutional Law in Permanence (1-16-1893) and in respect of foreign compliance with such treaty; The Recipient hereof takes notice by Foreign cite Art. VI sec. 1,2,



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and 3; Art. IV sec. I CL. 1 & 2; sec. 2 CL. 8 & 2; sec. 4 the 4<sup>th</sup>, 7<sup>th</sup> 9<sup>th</sup> and 10<sup>th</sup> amendment [US Constitution], 1781-91J TO ACKNOWLEDGE ASSIGNEE'S UPDATE OF ROYAL PATENT /palapala sila nui PROSECUTED BY AUTHORITY OF Art. III sec. 2 CL. 1 & 2 and enforced by Original Exclusive Jurisdiction hereunder and it is the only way to perfect Title: "to the Patentee and his or her Heirs Forever"; the HABENDUM CLAUSE identifies the vested Owner by Court Adjudicated Passage of Legal Title; Domiciliary Laws (1825) (1835) (1840) Principles Adopted by the Board of Commissioners to Quiet Land Titles (1844); statutes (1846) ; civil and penal codes of (1850/1859); pursuant to the Treaty of Commerce and Trade with U.S. (12-23-1826) ; Vol. II, sec. 57 of the Law of Nations, de Vattel; "A Foreign Nation has no right to interfere with the governance of an Independent State". Domicile Laws, 1845-6, vol. I p. 107. 1847, vol. II, pp 81 – 94; Thurston v. Bishop, 7 Haw. 421 p. 429, 437; Civil Code, 1859, p. 14 et seq. April 27, 1846, Hawaii Bonded Statute Laws, 1845-46, vol. I pp. 99; Gill v. Kukiiahu: *A kanaka possesses a preemptive first right of title, even if not patented.* Executive Orders & ratified P.L. 103-150 with penalty (01/31/09). NOTICE AND EFFECT OF A LAND PATENT A GRANT OF LAND IS A PUBLIC LAW STANDING UPON THE STATUTE BOOKS OF KO HAWAII PAE AINA (THE ARCHIPELAGO OF HAWAII); and IS NOTICE TO EVERY SUBSEQUENT PURCHASER UNDER ANY CONFLICTING SALE MADE AFTERWARDS, THURSTON v. BISHOP (1888); A Patent alone passes Title to the Grantee and the heir(s). An Estate in inheritance without condition. Ko Hawaii Pae Aina, The Archipelago of Hawaiiiloa was duly Patented in entirety by Treaty, 3-16-1854 and 5-16-1854, subject to koe nae na kuleana o na kanaka, paid for and duly purchased with proof of evidence with gold and silver and secured by perfected use and retention of right, title and interests. DEFINITION: THE ORIGINAL MEANING OF A PERPETUITY IS ***INALIENABLE, INDESTRUCTABLE INTEREST*** created within and causing effect to the original jurisdiction; as per, Bouvier's law dictionary vol. III, P 2570, (1914).

COUNT XVIII

Defendant has violated and pursues to violate at present the ko Hawaii pae aina PENAL CODE, CHAPTER XXX., FORGERY, CONTENTS., by falsifying and altering original instruments to suit Defendant's criminal uses of hidden sources to its proceeds, being all of the following: SECTION 1. Forgery defined 2. Writing defined 3. Making the initials of one's name 4. Intent to deceive essential 5. The writing must purport to be that of another 6. Using the name of a fictitious person 7. Forged instrument must resemble the genuine, and not be obviously void 8. Falsely making one's own signature 9. Forgery to the amount of one hundred dollars—Punishment 10. Less than one hundred dollars—Punishment

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11. Uttering a forged writing—Punishment 12. Canceling a writing 13. Fraudulently filling blank 14. Altering one's own writing 15. Fraudulently procuring of signature 16. Falsification of testimony by a magistrate. 17. False certificate of acknowledgment 18. False records 19. Second offense.

COUNT XIX

Defendant has violated and pursues to violate at present the ko Hawaii pae aina PENAL CODE CHAPTER XXVIII., CONSPIRACY, CONTENTS, by actively pursuing criminal activity in an organized manner requiring membership of two or more persons against the rights, liberty and freedoms of the victims, being all of the following; SECTION 1. Conspiracy defined—Examples 2. Joining in a conspiracy after the same is formed. 3. Act in pursuance of conspiracy unnecessary 4. An act of either is that of all 5. Husband and wife 6. Prosecution may be joint or several 7. Punishment not imposed for conspiracy and offense both 8. Trivial offense 9. First degree---Punishment 10. Second degree---Punishment, defined specifically in the penal code as, "A conspiracy is malicious or fraudulent combination or mutual undertaking or concerting together of two or more, to commit any offense or instigate any one thereto, or charge any one therewith; or to do what plainly and directly tends to excite or occasion offense, or what is obviously and directly wrong-fully injurious to another". For instance: A confederacy to commit murder, robbery, theft, burglary or any other offense provided for in the criminal code; to prevent, obstruct, defeat or pervert the course of justice, by suborning a witness, tampering with jurors, or the like offenses: To groundlessly accuse any one of, and cause him to be prosecuted for, an offense: To charge any One with an offense, with the intent and for the purpose of extorting money from him. To falsely charge one with being the father of an illegitimate child: To cheat another by means of false tokens and pretenses: To manufacture a spurious article for the purpose of defrauding whomsoever the same can be sold to: To destroy a will and thereby prejudice the devisees, and To prevent another, by indirect and sinister means, from exercising his trade, and to impoverish him.

COUNT XX

Defendant has violated and pursues criminal activity in occupancy violating the ko Hawaii pae aina de jure Constitution, as lawfully amended, promulgated and ratified on August 20<sup>th</sup>, 1865 with Amendments by the de jure Legislative Assembly, by Defendants acts of racketeering, money laundering and genocide.

THE de jure GRAND JURY'S CONCLUSION TO THE AHA HOOKOLOKOLO KIEKIE,

The de jure Grand Jury finds that the Defendant is guilty on all counts of racketeering, money laundering and genocide and presents to the Aha Hookolokolo kiekie this information. Defendants violated the law of the land and the foreign rules under which Defendant operates, as well as the United States laws. In Conclusion, the Grand Jury did examine and present facts, and has found the following without contradiction and by unanimous vote, and does hereby recommend its decision to the Aha Hookolokolo kiekie to grant an Order of Indictment with Mandatory Return of all proceeds derived from the concealed private probate estate assets, from private properties of the victims and to Remove Defendant from present occupant administrative authority to prevent and avoid further injury and damage to the People, and to further Order the establishment of a de jure Constitutional Legislative Assembly to hold an unoccupied Electoral Vote to fulfill all de jure governing offices of state and government administration in accordance with Article 33 of the de jure Constitution within 190 days from the date of said Order, or sooner if confirmed.

Dated Wailuku, ko Hawaii pae aina March 29, 2010 ma ka la i ka makahiki 2010 and executed without the United States.

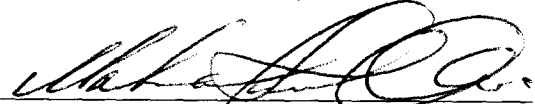
Respectfully submitted by the de jure Commission of Jurists and Grand Jury Chairperson, mai na kiule komisina a me ka Poo Kiule o ko Hawaii pae aina in behalf of the de jure Grand Jury whose Oaths of Office and signified Decree of Indictment is hereto attached and is exhibited.



National Commissioner of Jurists, na Kiule Komisina



National Commissioner of Jurists, na Kiule Komisina



National Commissioner of Jurists, na Kiule Komisina



Chairperson of the Grand Jury, na Poo Kiule