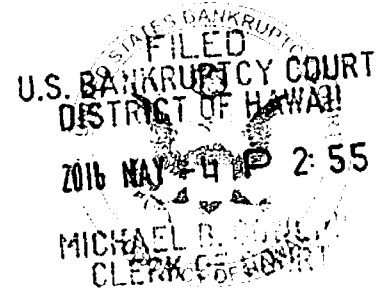


H416D (12/15)

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII**
1132 Bishop Street, Suite 250, Honolulu, Hawaii 96813

Debtor(s): Leonard George Horowitz

Case No.: 16-00239
Chapter: 13

Plaintiff(s): Leonard George Horowitz and Sherri Kane
(Use "et al." for multiple parties)

Adversary Proceeding No.:

Defendant(s): Paul J. Sulla, Jr.; Jason Hester; Stephen D. Whittaker, et.al.

Reply to Department of Taxation, State of Hawaii's Objections to Confirmation of Debtor's Chapter 13 Plan
[Title of Document, e.g., MOTION, APPLICATION, DECLARATION, STATEMENT]

Reply to Department of Taxation, State of Hawaii's Objections to Confirmation of Debtor's Chapter 13 Plan [HRS 253.3; 651C and 801D-418 and FRCP 9(b); LBR 9013-2]; Declaration of Leonard G. Horowitz; Exhibits "1" thru "13"; Appendix I

Date: 5/04/16


/s/ Leonard George Horowitz
[Print name and sign]

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF HAWAII**

In Re: Leonard G. Horowitz)

Debtor.)

LEONARD G. HOROWITZ, an)
individual; and SHERRI KANE, an)
individual)

Plaintiffs,)

vs.)

PAUL J. SULLA, JR. an individual;)
PAUL J. SULLA JR., ATTORNEY AT)
LAW A LAW CORPORATION, a)
corporation; THE ECLECTIC CENTER)
OF UNIVERSAL FLOWING LIGHT-)
PAULO ROBERTOSILVA E SOUZA,)
a Hawaii corporation sole; JASON)
HESTER, an individual; THE OFFICE)
OF OVERSEER, A CORPORATE)
SOLE AND ITS SUCCESSOR, OVER)
AND FOR THE POPULAR)
ASSEMBLY OF REVITALIZE, A)
GOSPEL OF BELIEVERS; STEPHEN)
D. WHITTAKER, an individual;)
STEWART TITLE GUARANTY)
COMPANY; and DOES 1 through 50,)
Inclusive)

Defendants

Bankruptcy Case No: 16-00239
(Chapter 13)

**REPLY TO DEPARTMENT OF
TAXATION, STATE OF HAWAII'S
OBJECTIONS TO
CONFIRMATION OF DEBTOR'S
CHAPTER 13 PLAN. [HRS §§
235.3; 651C and 801D-418; and
FRCP 9(b); LBR 9013-2];
Declaration of Leonard G.
Horowitz; Appendix I; Exhibits
"1" thru "13"**

Re: Docket Entry No. 52

HEARING:
Hearing Date: May 31, 2016
Hearing Time: 9:40 a.m.

JUDGE:

HONORABLE ROBERT J. FARIS

**REPLY TO DEPARTMENT OF TAXATION, STATE OF HAWAII'S
OBJECTIONS TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

COMES NOW Bankruptcy "Debtor" and Adversary Proceeding Plaintiff LEONARD G. HOROWITZ (hereafter, "HOROWITZ"), responding to DEPARTMENT OF TAXATION (hereafter, "DOT"), STATE OF HAWAII'S OBJECTIONS TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN" (Docket Entry No. 52; filed April 26, 2016; **Exhibit 1**). Attached in the Appendix Section are copies of the Debtor's completed individual tax returns for 2004 through 2015, as demanded by the DoT and supplied for efficiency, economy, and to relieve the bureaucratic burden. Horowitz supplies the returns, but objects to the State's neglect and/or violations of its own laws. Hawaii Revised Statutes (hereafter "HRS") § 235-7.3 exempts the Debtor's exclusive income from royalties on copyrights; and HRS § 801D-4 victims rights law has also been neglected by the State, as has HRS § 651C fraudulent transfer law. The State's "fraud or mistake" pursuant to FRCP Rule 9(b) is reported and recorded herein by the Debtor, who previously and repeatedly informed negligent State officials that Horowitz is being damaged by Paul J. Sulla, Jr. and his racketeering enterprise (hereafter, "Sulla"). Accordingly, the State's Objection to Horowitz's Reorganization Plan must be held in the context of the State's negligence, willful blindness to Sulla's ongoing crimes and damage to the affected parties here and in society, and violations of 42 USC § 1981(a).

I. Factual Background

The Debtor maintains a "special relationship" with the State and County of Hawaii pursuant to a land grant issued to Horowitz establishing a portion the subject Property (hereafter, the "Property") through the Debtor's Royal Bloodline of David (hereafter "RBOD") dissolved

ministry (**Exhibit 2**). The Property Seller, Cecil Loran Lee, attempted to steal the Property back during a judicial foreclosure (Civ. No. 05-1-0196) in which Horowitz prevailed in 2008 and was awarded \$200,907.54 still being appealed. (**Exhibit 3**) Between 2004 and the present, Horowitz submitted multiple neglected complaints to State and County officials to gain protection from Lee and his attorney, Paul J. Sulla, Jr. (hereafter, "Sulla"). The Debtor alleges that State officials are well aware of Lee's and Sulla's drug trafficking and real estate racketeering enterprise. Between 2004 and the present, Horowitz submitted no less than fifteen (15) complaints to various State and County officials as a victim of Sulla's malicious prosecution and Property theft scheme featuring fraudulent transfers of Horowitz's mortgage and note through a sham "religious" trust incorporated exclusively by Sulla. (**Exhibits 4 thru 6**) Said complaints to State agents included State of Hawaii DoT officer Hugh R. Jones - Supervising Deputy Attorney General, Tax & Charities Division;¹ as well as several attorneys in the Attorney General's Office. (**Exhibit 7**)

All of Horowitz's complaints were neglected or dismissed by officials who also neglected their duties to enforce State and federal laws pursuant to violations of, inter alia, HRS 651C (fraudulent transfer laws); 485A and 485-25 (securities fraud prohibitions); 480-2 (unfair and deceptive trade restrictions); and 480D (unlawful debt collection) committed by Sulla and his strawman and falsely claimed creditor, Jason Hester (hereafter, "Hester").

¹ According to Horowitz's knowledge and belief, State tax official Hugh R. Jones is named as a defendant in a pending grand jury investigation along with other State Attorney General's Office officials pursuant to the Debtor's and multiple other parties aforementioned victimization and damages from organized crime in the State. That pending grand jury inquiry was administered through Judge J. Michael Seabright, in response to an affidavit submitted by retired police officer James Banish on-or-about December 11, 2015, citing allegations of State-wide corruption and organized crimes involving Jones in the Department of Taxation. (**Exhibit 7**)

On April 5, 2016, the Debtor responded by mail in good faith to the DoT Declarant, Margaret Robideau, (**Exhibit 8**) stating, inter alia:

“I was forced by organized crime, as a victim of organized crime, to establish an “after residence” on the “subject Property” . . . You will also notice that many of my books and videos are sold through LLC companies that file tax returns and pay me modest royalties from such sales that amounts to approximately \$1500 monthly, much of which I donate to Medical Veritas International, Inc. a 501(c)(3) company defending consumers against healthcare fraud, especially in the area of vaccination risks and the controversy over alleged links to autism. . . . Given that my income since selling my dental practice in 1996 is approximately \$1500 per month, much of which I have simply been donating for years to Medical Veritas International, Inc. to expand social services, I do not believe that I am required to file tax returns.

Nonetheless, the DoT erroneously claimed that it may be the Debtor’s creditor by reason of the Debtor’s failure to file “his 2004 through 2015, inclusive, State of Hawaii net income tax returns.”

To compel the Debtor to file said tax returns, the DoT’s Objection states:

“Because of the Debtor’s failure to file his net income tax returns, it is impossible for the Department to ascertain the amount of its claim, file and complete proper proof of claim, and assure the Debtor’s proposed plan properly provides for such claim. Hence, the Debtor’s Chapter 13 plan does not properly reflect the Debtor’s tax liabilities or provide for payment of such liabilities, and the plan cannot be confirmed See, e.g., In the Matter of Crayton, 169 B.R. 243 (Bankr. S.D. Ga. 1994).”

But what about the State’s liabilities for Horowitz’s damages? Not only does the DoT neglect this reasonable consideration, the State now threatens the victim by asserting its right to lien the Debtor’s Property, stated thusly (in **Exhibit 1**, paragraph 1, page 2, of “Declaration of Margaret Robideau. . .”):

“I am authorized and empowered to compute and collect all general excise, income, and other tax liabilities due the State of Hawaii, to file tax liens upon property and rights to property belonging to any person liable to pay tax, to monitor payment of the Debtor’s outstanding tax liabilities, to file proofs of claim for outstanding tax liabilities of the Debtor, and to enforce such claims, liens, and other rights of the State of Hawaii in respect thereof.”

Accordingly, the Debtor opposes the State’s and Ms. Robideau’s Objections to the Debtor’s Reorganization Plan. The Objection neglects, inter alia, HRS § 235-7.3 “Royalties

derived from . . . copyrights” tax exemption law. Ms. Robideau knows, or should know, DoT’s laws pursuant to the Debtor’s letter of April 5, 2016. Likewise, Attorney General Douglas S. Chin (hereafter “Chin”), who filed the DoT Objection to Debtor’s reorganization plan knows, or should know, the Debtor’s history of having repeatedly petitioned the State for relief from Sulla’s organized crimes. (Exhibit 9) Chin neglected his duty to conduct an inquiry reasonable and related relief. Chin’s records show the Debtor’s complaints, and that State officials compounded damage by neglecting HRS §§ 801D-418 (victims rights law), 651C (fraudulent transfer law); and 18 U.S.C. § 514 (fictitious obligation law), in addition to FRCP Rule 9(b) (fraud or mistake rule) and 235-7.3 (royalties tax exemption law).

II. Related Laws

The DoT’s demands on the Debtor/victim do not comport with laws, including:

(1) HRS §§ 235-7.3, pertaining to “Royalties derived from . . . copyrights, or trade secrets excluded from gross income.”

HRS § 235-7.3 states as follows in relevant parts:

§235-7.3 Royalties derived from . . . copyrights, or trade secrets excluded from gross income. (a) In addition to the exclusions in section 235-7, there shall be excluded from gross income, adjusted gross income, and taxable income, amounts received by an individual or a qualified high technology business as royalties and other income derived from any . . . copyrights, and trade secrets:

(1) Owned by the individual or qualified high technology business; and

(2) Developed and arising out of a qualified high technology business.

(b) With respect to performing arts products, this exclusion shall extend to:

(1) The authors of performing arts products, or any parts thereof, without regard to the application of the work-for-hire doctrine under United States copyright law;

(3) The assignors, licensors, and licensees of any copyright rights in performing arts products, or any parts thereof.

(c) For the purposes of this section:

"Performing arts products" means:

(1) Audio files, video files, audiovideo files, computer animation, and other entertainment products perceived by or through the operation of a computer; and

(2) Commercial television and film products for sale or license, and reuse or residual fee payments from these products.

"Qualified high technology business" means a business that conducts more than fifty per cent of its activities in qualified research.

"Qualified research" means:

(1) The same as in section 41(d) of the Internal Revenue Code; . . .

(3) Biotechnology;

(4) Performing arts products;

(5) Sensor and optic technologies;

(6) Ocean sciences;

(7) Astronomy; or

(8) Nonfossil fuel energy-related technology. [L 1999, c 178, §22; am L 2000, c 297, §6; am L 2001, c 221, §7; am L 2004, c 215, §6]

(A) HRS § 235-1 defines "Biotechnology," thusly:

"Biotechnology" means fundamental knowledge regarding the function of biological systems from the macro level to the molecular and subatomic levels that has application to development including the development of novel products, services, technologies, and subtechnologies from insights gained from research advances that add to that body of fundamental knowledge.

(2) HRS § 801D-4, pertaining to "Basic Bill of Rights for Victims and Witnesses" states in relevant parts as follows:

a) Upon written request, victims and surviving immediate family members of crime shall have the following rights:

1. To be informed by the police and the prosecuting attorney of the final disposition of the case. . . .

3. To receive protection from threats or harm;

4. To be informed by the police, victim/witness counselor, or other criminal justice personnel, of financial assistance and other social services available as a result of being a witness to or a victim of crime, . . .

6. To have any stolen or other personal property expeditiously returned by law enforcement agencies when the property is no longer needed as evidence. If feasible, all the property, . . . and property, the ownership of which is disputed, shall be returned to the person within ten days of being taken; . . .

(3) HRS § 651C, pertaining to “Hawaii Uniform Fraudulent Transfer Act” states in relevant parts as follows:

§651C-2 Insolvency.

(d) Assets under this section do not include property that has been transferred, concealed, or removed with intent to hinder, delay, or defraud creditors or that has been transferred in a manner making the transfer voidable under this chapter.

[§651C-7] Remedies of creditors. (a) In any action for relief against a transfer or obligation under this chapter, a creditor, subject to the limitations provided in section 651C-8, may obtain:

(1) Avoidance of the transfer or obligation to the extent necessary to satisfy the creditor's claim;

(2) An attachment or other provisional remedy against the asset transferred or other property of the transferee in accordance with the procedure prescribed by chapter 651;

(3) Subject to applicable principles of equity and in accordance with applicable civil rules of procedure:

(A) An injunction against further disposition by the debtor or a transferee, or both, of the asset transferred or of other property;

(B) Appointment of a receiver to take charge of the asset transferred or of other property of the transferee; or

(C) Any other relief the circumstances may require.

(b) If a creditor has obtained a judgment on a claim against the debtor, the creditor may, if the court so orders, levy execution on the asset transferred or its proceeds. [L 1985, c 216, pt of §1] [Reflexively, the same must be true under 42 USC § 1981 for debtors owed judgment credits by fraudulent transferees presumed or claimed to be creditors.

(4) FRCP Rule 9(b), states in relevant part as follows:

(b) Fraud or Mistake; Conditions of Mind. In alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake. Malice, intent, knowledge, and other conditions of a person's mind may be alleged generally.

II. Arguments and Authorities

A. HRS § 235-7.3

The Debtor informed the State that he receives no taxable income following his retirement from dentistry in 1996. The Debtor informed the State that he receives only modest royalties on copyrighted publications amounting to approximately \$1500 per month paid by companies that file their own income tax returns. The Debtor also informed the DoT that most, if not all, of that non-taxable income is donated to a 501(c)3 non-profit that also files tax returns. (**Exhibit 8**)

The Debtor informed DoT that he is a victim of organized crime, that he does not received any income from working in the State of Hawaii in any capacity, especially pursuant to his interest in the Property as a individual investor since 2004 when the Property was purchased for its geothermal resources of special interest to Horowitz as an expert in water science, medical histology, bioenergetics technologies, and natural medicine. Horowitz holds several advanced degrees, and commercializes dozens of copyrighted publications in the fields of water science, biophysics involving sub-cellular and inter-cellular bioenergy mechanisms, and related health science research and novel product developments. The Debtor has pioneered novel health services and bioenergy technologies as detailed in his numerous educational media productions and publications that began before 2004, and are ongoing at the time of this writing, as evidenced by **Exhibits 10 through 13**. Insights gained from Dr. Horowitz's research,

publications, and novel product developments continue to advance “that body of fundamental knowledge” in the healing arts and sciences.

This can be known by reading Horowitz’s plethora of books, (Exhibit 10) viewing his many DVDs and several documentary films published online for free or through pay-per-view, (Exhibit 12) and analyzing his novel product OxySilver by its online advertisements (Exhibit 11). The Debtor is an expert in these fields of researching, developing, and commercializing multiple biotechnologies, and this is his core business and career accomplishments. By the volume of Horowitz’s productions produced during the past several years, it is clear that he spends more than fifty (50) percent of his time advancing these interests in Hawaii, on and off the Property. Horowitz’s geothermal property lends itself uniquely to the aforementioned activities, And by definition in HRS § 235-7.3, Horowitz administers a “Qualified high technology business,” regardless of whether or not the DoT claims the Property is being used as a business. Horowitz is, therefore, exempted from income tax precisely by the exemptions provided under HRS § 235-7.3. These exemptions cover Horowitz’s: (1) Audio files, video files, audiovideo files, computer animation, and other entertainment products perceived by or through the operation of a computer, including the entire “528 Revolution” business(es); and (2) Commercial television (i.e., RevolutionTelevision.net, Vimeo.com/RevolutionTelevision channel, and LOVE528TV.net), and Horowitz’s film products that are sold or licensed, and reuse or residual fee payments from these products are income tax exempt by definitions:

“Qualified high technology business” in which Horowitz conducts more than fifty per cent of his activities in qualified research.

“Qualified research” means: “(3) Biotechnology; (4) Performing arts products; . . . (6) Ocean sciences; (7) Astronomy; [and/]or (8) Nonfossil fuel energy-related technology. [L 1999, c 178, §22; am L 2000, c 297, §6; am L 2001, c 221, §7; am L 2004, c 215, §6]”

Accordingly, Horowitz's tax exempt royalties derive from having his numerous copyrights on audio, video, and television productions, including animations explaining Horowitz's trademarked novel silver-water electro-resonating anti-microbial trademarked "OxySilver" (Exhibits 11) Horowitz also holds a trademark on "Breath of the Earth"--the lava-heated steam harvested from the air above the Property. (Exhibit 13) With OxySilver and the Breath of the Earth, Horowitz further advanced the pioneering work of NASA scientists used to keep astronauts healthy in space. OxySilver is a world leading innovation. It is a "covalently bonded silver hydrosol" (i.e., silver-oxygen bonded water molecule)—providing an alternative to fighting infectious diseases using risky vaccinations and costly and polluting antibiotics.

Horowitz's commercial productions feature his research and developments in the performing arts and sciences, especially in the field of musicology improving recording artistry by pioneering 528Hz frequency knowledge and applications in engineering music to be most bioenergetically compatible with nature and the human spirit based on recordings of bees and knowledge of the electromechanics and electrodynamics of blood chemistry and body water. From this research and knowledge, given that human bodies are comprised mostly from ocean-like water, and DNA functions best hydrated by "structured water" (K liu, JD Cruzan and RJ Saykally. Water Clusters. *Science* (16 Feb) 1996; 271;929-931) Horowitz advanced electromagnetically-enhanced water products and mineral solutions using 528Hz frequency of sound, and 528nm of light, central to the electromagnetic and bioacoustics spectrums to cluster (or "structure") water to enhance certain beneficial qualities (e.g., oxidative-reductive potential, "ORP" for optimal absorption and bio-

assimilation of food nutrients, minerals, or drugs). This biotechnology improves health, reduces costs in healthcare, and can reduce drug side effects. Much of Horowitz's copyrighted publications and related business activities have advanced productions within 528Radio.com and 528Records.com—e-services revolutionizing the music industry. **(Exhibits 10 thru 12)** At the present time, Horowitz's businesses have been receiving widespread international acclaim, and have contributed to many spin-off companies and practical applications in the music industry, performing artistry, and alternative and complementary medicine.

Horowitz's copyrighted works advancing 528 resonance in water science have also spawned advances in ocean sciences; astronomy; and nonfossil fuel energy-related technology used by Horowitz and other researchers internationally to advance their interests. Examples include Horowitz's video production "Natural Cure for Global Warming," that concerns acid rain and changes in ocean chemistry (pH) impacting life and the environment that is freely viewable online; and Horowitz's pay-per-view commercial production "The 528 Key Movie." **(Exhibit 12)** These examples of business activities comports with the strict definition of "biotechnology" cited in HRS § 235-1.

Pursuant to *Harris v. Amgen, Inc.*, 738 F. 3d 1026 - Court of Appeals, 9th Circuit 2013 "Because the existence of an exemption . . . is an affirmative defense, we can dismiss . . . based on the . . . exemption only if the defense is 'clearly indicated' and 'appear[s] on the face of the pleading.' 5B Charles Alan Wright & Arthur R. Miller, Federal Practice & Procedure § 1357 (3d ed.2004); see also *Jones*, 549 U.S. at 215, 127 S.Ct. 910"

In this instant case, Horowitz asserts his exemption that is clearly evident on the face of this pleading pursuant to HRS § 235-7.3.

B. HRS § 801D-4 is Not a “Basic Bill” to *Deprive Victims Rights and Properties.*

The DoT’s Objection to the Debtor’s Reorganization Plan neglects **HRS § 801D-4** and is clearly erroneous. A fact finder might conclude it was filed in bad faith with unclean hands. The DoT’s pleading disparagingly insinuates the Debtor/victim may have withheld income tax payments from the State by failing to file “required” tax returns that were *not required* at all. The DoT and AG’s office neglected the Debtors’ good faith correspondence (**Exhibit 8**) and earlier appeals for relief by law enforcers. In this and earlier instances, State officials failed to perform inquiries reasonable following the Debtor’s correspondence, compounding the victim’s damages and distress.

This instant DoT filing compounds the State’s pattern of oppressing and neglecting Horowitz as a citizen acting dutifully under HRS § 707-303 in self-defense and social service. The State acts as though Horowitz’s whistleblowing on Sulla’s foreclosure fraud and judicial corruption on the Big Island characterizes an “enemy of state.” It should be noted that extensive favor has been given to attorney Sulla by the courts prejudicing non-lawyer Horowitz in violation of the Debtor/victim’s rights under 42 USC §1981. This law requires Horowitz be afforded “the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.” Why then does DoT now burden victim/whistleblower Horowitz to account for his past twelve (12) years while

neglecting inquiry notices and court filings evidencing Sulla's foreclosure fraud, money laundering, and tax evasion schemes?

The State has, thus, deprived Horowitz of his rights, and neglected its duties to protect the Debtor/victim against Property theft and malicious prosecutions under color of law. The State has failed to restore Horowitz's rightful property ownership. Instead, the instant Objection has compounded burdens and financial damages, caused more distress, wasted more time, and extended a pattern of State actors' neglect of laws, administrative rules, and ethical requirements, including HRS § 801D-4(3)(6). State DoT and AG officials' "protection from threats [and] harm" have favored Sulla, and enabled the lawyer's real Property theft, without returning the victim's stolen Property title. State officials have been willfully blind to Sulla's trespass, securities fraud, and forgeries damaging the Debtor, his Property, and society.

By acting willfully blind to Sulla's actions to steal the victims' Property, the State and its agents, including DoT official Jones, has aided-and-abetted Sulla's commission of torts and crimes including, inter alia: HRS § 708-830 (1) or (6)(a) and (7) theft and related offenses; HRS §705-520 criminal conspiracy; HRS § 485-25 fraudulent and other prohibited practices; violations of HRS §414D Hawaii Non-profit Corporations Act; 414-11 and § 414-20 and §414D-12 penalties for manufacturing, falsely signing, and filing false documents with the State; HRS § 708A-3 money laundering prohibitions; HRS §842-2;6. Organized Crime Prohibitions [RICO] tied to HRS §480D and 480-2 violations, and HRS §842-11 failure to report income or pay taxes on SULLA illegal dimethyltryptamine ("DMT" *huasca*) manufacturing enterprise widely known among State actors. None of these specific allegations and corroborating facts have been denied by Sulla in any legal proceeding

during the past seven (7) years. Per FRCP 8(b)(6), Sulla tacitly admits these claims.

Not only has DoT neglected its duties under, inter alia, HRS § 801D-4 and 42 USC §1981(a) to provide Horowitz with equal “protection from threats or harm” that the State affords Sulla (especially concerning Sulla’s fraudulent transfers slandering the Debtor’s Property title using false filings with the State; **Exhibits 4 thru 6**), now the DoT threatens to lien the Debtor’s Property if the Debtor does not file unnecessary tax returns that are hereby filed to appease the DoT to mitigate its threats.

In effect, the DoT demands the Debtor submit to an *unconscionable contract* (Narayan v. RITZ-CARLTON DEVELOPMENT COMPANY, INC., Haw: Supreme Court 2015).

(3) HRS § 651C

The Debtor/victim resubmits what he has multiple times already filed with State officials in the AG’s office, pertaining to Sulla’s violations of the “Hawaii Uniform Fraudulent Transfer Act.” **Exhibits 4 and 7** provide copies of the fraudulent transfers committed by Sulla on May 15, 2009 using the sham trust and trustee, “Gospel of Believers” and Hester, respectively. **Exhibit 6** provides a sworn Declaration of Beth Chrisman, a forensic document and handwriting expert, attesting to Sulla’s alterations and forgery of the deceased Seller Lee’s signature(s), certifying the criminal action of the “Foreclosing Mortgagee” (i.e., Sulla’s sham trust and strawman Hester). DoT State official Hugh Jones turned a blind eye to this evidence of fraudulent foreclosure and securities fraud by Sulla’s non-profit sham “religious” trust.

Under § 651C-7, the proper administration of procedures by State officials include the attachment of the Property that has been illegally transferred by Sulla through “Gospel of Believers” to Hester “in accordance with the procedure prescribed by chapter 651.”

Moreover, “[a]n injunction against further disposition by the . . . transferee, . . . of the asset transferred or of other property” is in order.

(4) FRCP Rule 9(b)

By its filing, the DoT has made itself a party to these proceedings. Likewise, under Rule 9(b), the DoT is an organized association of persons that may be made a party to the Adversary Proceeding Complaint. The “condition of mind” of the filing officials appears adversarial, arrogant, certainly not civil and empathetic, and abusive in its neglected duties and laws. An inquiry reasonable and further correspondence with Horowitz could have resolved any and all questions DoT officials have, or may have had, rather than burdening the victim/Debtor’s time and expense.

The Debtor/victim will assume for the benefit of efficiency and economy that the DoT has simply made a “mistake,” and not committed fraud by “malice, intent, knowledge.”

Accordingly, Horowitz files the attached 2004 through 2015 tax filings in Addendum I.

IV. CONCLUSION

The Debtor is exempted under HRS § 235-7.3 from claiming any income from royalties on his copyrights that represent his entire and exclusive income while residing in Hawaii as an “after residence” since 2011. Prior to this date, the Debtor victim of organized crime and foreclosure fraud had no income while residing part time in Hawaii, when between 2004 and 2011 he administered businesses in Idaho and California.

The Debtor’s claimed “income” sources entirely from copyrighted materials pursuant to research addressing neglected biotechnologies that provide alternatives to risky and costly vaccinations and pharmaceuticals. Dr. Horowitz is an internationally known expert who devotes more than half his time and business efforts advancing the fields exempted

under HRS § 235-7.3 (e.g., biotechnologies in health care featuring water science, biophysics, electrochemistry and electrogenetics—multidisciplinary fields involving water structuring and resonance). (Exhibits 10 thru 13)

Having given the State, its officials, and the DoT, repeated notices to perform reasonable inquiries pursuant to the Debtor's financial affairs, victimization by Sulla, and pleadings to enforce laws that the State has repeatedly neglected, Horowitz objects to the DoT's Objection/Opposition that is substantially abusive and unconscionable.

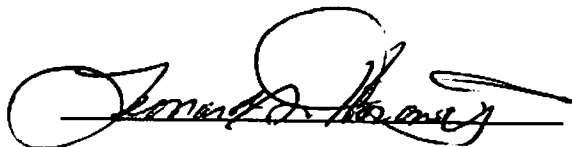
For efficiency and economy exclusively, by attaching the demanded State tax returns, the Debtor submits to the State's threats of having to endure another lien or encumbrance on the fraudulently transferred Property.

Under the aforementioned laws, including income tax exemptions provided by HRS § 235-7.3, the State should honor, not neglect to protect the Debtor/victim/ whistleblower in good faith compliance with HRS § 801D-4.

I declare (certify, verify, and state) under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,

DATED: May 3, 2016

A handwritten signature in black ink, appearing to read "Leonard G. Horowitz", written over a horizontal line.

LEONARD G. HOROWITZ, pro se

LEONARD G. HOROWITZ, Pro se
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF HAWAII**

In Re: Leonard G. Horowitz)

Debtor.)

LEONARD G. HOROWITZ, an)
individual; and SHERRI KANE, an)
individual)

Plaintiffs,)

vs.)

PAUL J. SULLA, JR. an individual;)
PAUL J. SULLA JR., ATTORNEY AT)
LAW A LAW CORPORATION, a)
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OF UNIVERSAL FLOWING LIGHT-)
PAULO ROBERTOSILVA E SOUZA,)
a Hawaii corporation sole; JASON)
HESTER, an individual; THE OFFICE)
OF OVERSEER, A CORPORATE)
SOLE AND ITS SUCCESSOR, OVER)
AND FOR THE POPULAR)
ASSEMBLY OF REVITALIZE, A)
GOSPEL OF BELIEVERS; STEPHEN)
D. WHITTAKER, an individual;)
STEWART TITLE GUARANTY)
COMPANY; and DOES 1 through 50,)
Inclusive)

Defendants)

Bankruptcy Case No: 16-00239
(Chapter 13)

**Declaration of
Leonard G. Horowitz**

Re: Docket Entry No. 52

HEARING:
Hearing Date: May 31, 2016
Hearing Time: 9:40 a.m.

JUDGE:

HONORABLE ROBERT J. FARIS

I, LEONARD GEORAGE HOROWITZ, under pain of perjury of law, do hereby state and declare as follows:

- 1) I am an individual over the age of twenty-one (21) years, an “after resident” of the State and County of Hawai‘i.
- 2) I am a pro se Debtor/victim of organized crime who filed for bankruptcy in this proceeding on March 9, 2016, and at the same time filed related Adversary Proceeding 16-90015.
- 3) I declare that the attached **REPLY TO DEPARTMENT OF TAXATION, STATE OF HAWAII’S OBJECTIONS TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN**, contains true and correct pleadings to the best of my knowledge.
- 4) I declare that Exhibit “1” is a true and correct copy of the Dept. of Taxation, State of Hawaii’s Objection to Confirmation of Debtor’s Chapter 13 Plan, filed by Attorney General Chin on April 26, 2016.
- 5) I declare that Exhibit “2” is a true and correct copy of the County of Hawaii’s land grant to me as the body corporate for The Royal Bloodline of David non-profit ministry, dated February 25, 2005, forming a “special relationship” between me and the County of Hawaii, and State of Hawaii, pursuant to the subject real Property.
- 6) I declare that Exhibit “3” is a true and correct copy of the Fifth Amended Final Judgment in Civ. No. 05-1-0196, filed on March 4, 2016, in which I prevailed in defeating a malicious prosecution and subject Property theft scheme.
- 7) I declare that Exhibit “4” is a true and correct copy of the fraudulent Assignment of Mortgage committed by Paul J. Sulla, Jr. on-or-about May 15, 2009—a *fraudulent transfer* of my Mortgage that was paid in full by February 27, 2009; and that Sulla made this transfer in order to evade me as a judgment creditor in Civ. No. 05-1-0196, and evade releasing the Mortgage as required by law and requested between March and June of 2009.


- 8) I declare that Exhibit "5" is a true and correct copy of the Assignment of Promissory Note committed by Paul J. Sulla, Jr. on-or-about May 15, 2009, as a fraudulent transfer of my fully paid Note, that was paid in full by February 27, 2009.
- 9) I declare that Exhibit "6" is a true and correct copy of forensic document and handwriting expert Beth Chrisman's bio, professional analysis, and sworn (notarized) Declaration attesting to the fact that Sulla altered the Articles of Incorporation, and forged at least one, and probably two, signatures of the deceased Seller, Cecil Loran Lee, in order to extort money from me, or steal my Property under color of law, to be enriched unjustly.
- 10) I declare that Exhibit "7" is a true and correct copy of my e-mail correspondence with Hugh R. Jones, Supervising Deputy Attorney General, Tax & Charities Division, on-or-about two dates, March 18, 2014 and November 26, 2012, at which time the aforementioned illegal filings by Sulla with the State were discussed.
- 11) I declare that Exhibit "8" is a true and correct copy of my correspondence with State of Hawaii, Department of Taxation, M. Robideau, responding to her request for information concerning my bankruptcy filing and income, in which I made it clear that I am a victim of Sulla's crimes.
- 12) I declare that Exhibit "9" is a true and correct copy of my Demand for Law Enforcement sent to Kevin K. Takata of the Criminal Justice Division of the State of Hawaii, Office of the Attorney General, July 15, 2015, noticing the State of my status as a victim of Sulla's organized crimes, and details about Sulla's scheme to steal my Property.
- 13) I declare that Exhibit "10" is a true and correct copy of my official website advertisements including the lower part of the page showing seven (7) of my 19 copyrighted books, including the central book titled "Walk on Water," dealing with my biotechnological research and advances in health science and consumer protection.

- 14) I declare that Exhibit "11" is a true and correct copy of my official website advertisements for my trademarked product called OxySilver that resonates in 528Hz frequency of sound, and 528nm of light. My OxySilver commercial promotes this biotechnology using computer animation that I produced in Hawaii and California.
- 15) I declare that Exhibit "12" is a true and correct copy of my official website advertisements for my pay-per-view production titled *The 528 Key Movie* that I produced in Hawaii and California.
- 16) I declare that Exhibit "13" is a true and correct copy of my copyrighted publication dealing with water science and the metaphysics of water pursuant to the disappearance of Lake Wai' Au on the Big Island.
- 17) I declare that the attached Reply filing is true and correct to the best of my knowledge and belief formed following an inquiry reasonable; and I make this declaration under pains and penalties of perjury.

FURTHER DECLARANT SAYETH NAUGHT

This Declaration is based upon my personal knowledge and I am competent to testify as to the truth of the statements contained herein.

Dated: Honolulu, Hawaii: May 4, 2016

Signed: 
LEONARD G. HOROWITZ, pro se

In Re: Leonard G. Horowitz; Bankruptcy Case No: 16-00239; Declaration of Leonard George Horowitz, pursuant to Exhibits 1 to 13.