



representative of the Kingdom and its *de jure* Returning Sovereign. And is the *de jure* Head of Shrine, the Kahuna Nui of the Kingdom.

2. Defendants are the *de facto* provisional governing organization administering a prolonged *belligerent military* occupation by the United States of America against the Hawaiian Kingdom since 1893. Defendants pillaged all the private real property of the Plaintiff's, specifically at Mauna a Wākea.

3. Defendants made illegal special agreements with the University of Hawai'i, and the Department of Hawaiian Homelands, and the Thirty Meter Telescope International Observatory, to lease Plaintiff's religious and cultural real private property and allow the immediate commencement of construction of a scientific enterprise that will cause destruction and irreparable injury. Damages are incalculable and will not adequately compensate for the harms to be done to Plaintiff's property, and Defendants plan to continue to deprive them of their property and rights.

4. Defendants are legally obligated to protect Plaintiff's cultural property but instead illegally destroyed 4 religious and cultural shrines during a premeditated armed sneak attack under the cloak of night on June 20, 2019 upon the Plaintiff's property Mauna a Wākea. These were ahu, simple rock and stick shrines of worship and reverence to our Divine Creator.

5. Defendants illegally destroyed a library and learning center for the children who are Protected Persons of the Hawaiian Kingdom on September 6, 2019 upon the Plaintiff's property Mauna a Wākea, using armed forces authorized to use deadly force. And arrested the Protected Persons there who are Personnel Engaged in the Protection of Cultural Property.

6. Defendants used armed forces authorized to use deadly force, to violate the human and Constitutional rights of the Kia'i Protected Persons to peacefully speak and assemble to protest the Defendant's pillage of their religious and cultural real private property at Mauna a Wākea.

The Protected People are unarmed and include elders, women, and children, exercising their rights under the Constitution of the State of Hawaii, Article 9, Section 10, "to lie by the roadside in safety" and the First Amendment to the United States Constitution, to assemble peacefully to protect their Elder Sibling Mauna a Wākea from the promise of destruction by the Defendants, and protesting the pillage of their property. The Kia'i are personnel engaged in the protection of cultural property.

And as a result were arrested and interned, and live in fear of more of the same and worse. Defendants stand ready and armed, prepared to use force, authorized to use deadly force against the peaceful Protected Persons. Trials, pretrial conferences, and hearings are set in the District Court for October 18 & 23, and November 22, 2019 against Plaintiffs, so there is insufficient time to serve notice on the Defendants before their attorney can be heard in opposition.

7. Defendants are issuing a "TRAVEL PERMIT" illegally prohibiting Plaintiffs from going to Mauna a Wākea, which is Plaintiffs religious and cultural real private property and denying them their Constitutional rights to assemble.

8. Defendants are specifically required under the law to have legal relations with the property owners, with the lawful representative of the Hawaiian Kingdom, and with the Returning Sovereign, all of whom are the Plaintiffs. But the Defendants do not now, nor ever had legal relations with them. This violates the law and serves to deny the specific rights under the law accorded to the Plaintiffs as the Returning Sovereign and Protected Persons.

9. Time is of the essence as there is a grave concern of immediate and irreparable injury regarding a possible plan of violent attack by the Defendants against the Plaintiffs in retaliation against them for peacefully protesting for their rights. Defendants may be planning an attack of imminent injury resulting in possible deaths, an armed physical and chemical weapons attack (possibly tear gas), upon the lawful property owners, to cause irreparable injury to their persons and property, to deprive them of property and liberty, and to retaliate against them for peacefully

standing up for their rights. The knowledge of this plan is not certain but based on reliable information and is enough to cause prepping tear gas antidotes and fear of irreparable injury or death within the Protected Persons and the gravest concern within their *de jure* representative. It is also probable based on the historical record of the State's actions against the Protected Persons. There is insufficient time to serve notice on the Defendants before their attorney can be heard in opposition.

10. Time is of the essence because the Kia'i Protected Persons are presently, and have been for months, stopping the construction of TMT with their presence at Mauna a Wākea in peaceful protest against the imminent destruction promised.

11. The balance of equities and the public interest strongly favor granting this Motion and establishing legal relations between the Plaintiffs and the Defendants. And between the Defendants and the Kia'i at Mauna a Wākea. The Plaintiff is the single *de jure* representative of the Kia'i because they are Ali'i and Maka'āinana (Protected Persons) of the Hawaiian Kingdom. And it will end the indefinite, months long, peaceful protests by thousands of Plaintiffs, by way of granting a permanent injunction and establishing proper legal relations with the temporarily ousted Sovereign, all which will serve the public interest.

Defendants held a press conference on September 12, 2019 over their urgent concern regarding one (1) vine that may or may not have been "cut" by the Kia'i protesters, and alleged damage done to several plants (but they have no problem bulldozing anything in their way and allowing another 6 acres to be utterly destroyed by TMT) and this will serve to address their urgent concern for the several plants that may be damaged by the large crowds of protesters asking for justice.

12. Defendants acts constitute gross violations and grave breaches of; human rights, humanitarian principles, the Geneva Convention, the laws of war and their own laws. Defendants 126 years of impunity and failure to comply with the laws and Constitutions of the United States of America, and with customary international laws, cause irreparable injury to the Plaintiffs of

incalculable amounts and amount to genocide. The Defendants repeated failures to comply with their own laws, their pillaging of Plaintiff's property, denial of their rights, and illegal administration of the belligerent occupation are the causes of Plaintiff's Motion.

13. Defendant's activities trigger the Geneva Convention SUBSTITUTES FOR PROTECTING POWERS ARTICLE 11. And Plaintiffs request a neutral party to undertake Defendant's functions regarding Plaintiffs as performed under the Geneva Convention.

- a. The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When persons protected by the present Convention do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

14. Plaintiffs have raised serious legal questions in Supporting Affidavit, and the balance of hardships tilts strongly in their favor.

15. Refusal to grant relief will lead to serious irreparable injury to Plaintiff's property and the damages are incalculable and will not adequately compensate for the harms.

16. If Plaintiff's motion is not granted harm is imminent to their persons.

17. Refusal to grant relief will cause Plaintiffs to continue to suffer genocide and be denied their rights under the illegal administration of the belligerent occupation of the Hawaiian Kingdom.

18. It is probable that the Plaintiffs will prevail against Defendants because Plaintiffs are the *de jure* real property owners of Mauna a Wākea, and all real property comprising the Hawaiian Kingdom.

19. It is probable that the Plaintiffs will prevail against Defendants because Plaintiffs are the *de jure* Head of State, *de jure* Head of Temple, *de jure* Temporarily Ousted Sovereign, *de jure* Returning Sovereign, and *de jure* Protected Persons, and are entitled to remedy and compensation from the Defendants.

*I, Princess Carmen Ka'anā'anā, do declare under penalty of law  
that the foregoing is true and correct.*

SIGNED THIS 24th DAY OF September, 2019  
Pāhoa, Hawaiian Kingdom.



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Princess Carmen Ka'anā'anā, Petitioner Pro Se  
PO Box 1912, Pāhoa, HI 96778

Princess Carmen Ka'anā'anā  
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 Plaintiff Pro Se  
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IN THE CIRCUIT COURT OF THE THIRD CIRCUIT  
 STATE OF HAWAII

CARMEN KA'ANĀ'ANĀ, in her official  
 capacity as Princess of the Hawaiian Kingdom;  
 MAUNA A WĀKEA; PROTECTED PERSONS  
 of the Hawaiian Kingdom; HAWAIIAN  
 KINGDOM,

Plaintiffs,

v.

DAVID IGE, in his official capacity as Governor  
 of the State of Hawaii; STATE OF HAWAII et al.,

Defendants.

) Civil No. 19 - 1 - 0268  
 ) (Other Civil Action)  
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 ) SUMMONS  
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SUMMONS

To the above-named Defendants:

You are hereby summoned and required to file with the court and serve upon Princess Carmen Ka'anā'anā, whose address is PO Box 1912, Pāhoa, HI 96778, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

SEP 26 2019

**Byron K. Poy** (Seal)

Dated: Hilo, Hawai'i, \_\_\_\_\_

\_\_\_\_\_  
 Clerk of Court  
 (Seal of the Circuit Court)