



Ali'i Nui Mō'ī Edmund Keli'i Silva, Jr.
E malama i ka mana'o'i'o

Declaration

Be it known that I, Edmund Keli'i Silva, Jr. King of the Kingdom of Hawai'i hereby declare that the entire archipelago and surrounding seas of the archipelago belong to the Kingdom of Hawai'i. That all peoples throughout the world are served notice that Hawai'i is an independent sovereign nation ordained and sustained by the Hand and Might of a Just God in our Heavenly Father.

Document Signed by: His Royal Majesty on September 25, 2007

ORDER TO CEASE AND DESIST

WHEREAS, the Kingdom of Hawai'i is restored, and

WHEREAS, the process of restoring the Kingdom government is not yet complete, and

WHEREAS, the King can still act in the interest of the public peace and tranquility and has a responsibility to do so, and

WHEREAS, on August 23, 2007 (Gregorian Calendar), the Hawai'i Supreme Court issued an order in *The Sierra Club v. The Department of Transportation* requiring the State of Hawai'i to prepare an environmental assessment for the operation of the Hawai'i Superferry, and

WHEREAS, on August 31, 2007, the Hawai'i Supreme Court issued its final ruling on the merits and applied the law to the facts in that case to rule as follows:

“Therefore, based on this record, we can only conclude that DOT’s determination that the improvements to Kahului Harbor are exempt from the requirements of HEPA was erroneous as a matter of law. The exemption being invalid, the EA requirement of HRS § 343-5 is applicable. This issue being dispositive, we need not consider Appellants’ other arguments.” and

WHEREAS, the ruling and the statute cited require the State of Hawai'i to prepare an environmental assessment before any further operation of the Hawai'i Superferry, and

WHEREAS, that ruling created great public controversy, and
WHEREAS, some high officials in the caretaker government chose not to accept the final court ruling, and

WHEREAS, said officials sought to continue operations of the Hawai'i Superferry, despite the law and the ruling of the Supreme Court, and

WHEREAS, that attempt to continue operation of the Hawai'i Superferry outside the law led to widespread citizen opposition, particularly on the Island of Kaua'i, and

WHEREAS, those public officials acting outside the law to continue operations of the Hawai'i Superferry responded to citizen opposition by threatening the use of force, including deadly force, and threatening criminal prosecution, imprisonment, and monetary fines, and

WHEREAS, citizen opposition simply grew stronger, creating the potential for a bloody confrontation between law enforcement personnel under orders to act outside the law and citizens seeking to enforce the law, and

WHEREAS, said illegal activities and their legal implications are detailed in the legal memorandum prepared at my direction by the Chief Justice of the Kingdom Supreme Court and attached hereto, and

WHEREAS, those public officials operating outside the law then redirected their efforts towards convincing the State Legislature to pass a law reopening the Supreme Court decision and altering that decision legislatively to find that the Hawai'i Superferry can continue to operate while the required environmental analyses are done, and

WHEREAS, such legislation would clearly be unconstitutional within the established governmental structure of the occupying government because such legislation would violate the separation of powers mandated by the United States Constitution, and

WHEREAS, the unconstitutional nature of such legislation is clearly set forth in the legal memorandum prepared at my direction by the Chief Justice of the Kingdom Supreme Court and attached hereto, and

WHEREAS, the illegal pursuit of continued operation of the Hawai'i Superferry has created turmoil, dissension, and even threat of bodily injury,

NOW, THEREFORE BE IT ORDERED, that all persons cease and desist any further actions in violation of the Hawai'i Constitution, ~~the~~ State of Hawai'i laws, and the United States Constitution, as the laws and Constitutions in use until such time as the restored Kingdom government can enforce its own laws and Constitution.

This Cease and Desist Order is general in application and specifically directed to the State of Hawai'i Governor; the State of Hawai'i Attorney General; the Director of the State of Hawai'i Department of Transportation; The Hawai'i Superferry, Inc.; the United States Department of Homeland Security; the United States Coast Guard; and all other public officials cooperating in the illegal conspiracy to continue operations of the Hawai'i Superferry and acting within the sovereign Kingdom of Hawai'i.

This Cease and Desist Order is also directed to those members of the Legislature who are wasting public resources on, and unnecessarily requiring citizens to waste their time and resources to participate in, an unconstitutional effort to pass a law to undo a final judgment of the Hawai'i Judiciary.

I have appointed special officers of the Kingdom to serve this Order on the identified parties and directed the publication and other distribution of this Order and the attached memorandum to the identified parties and the people.

I have distributed this Order to the media and request its publication.

As soon as all parties are in compliance with this Cease and Desist Order:

1. I request the State Legislature, in its capacity as Surrogate Legislature for the Kingdom Legislature *in absentia*, to pass legislation along the following lines:

A. Subject to those identified in this section fulfilling the steps set forth in Sections B and C below, subject to the passage of the bill proposed in Section 2 below, and subject to any exceptions by people refusing to accept the compensation offered in Section 2 below (see Section 2C), the Legislature grants immunity from civil suit and criminal prosecution under state laws for all actions taken in furtherance of the illegal conspiracy to continue operations of the Hawai'i Superferry after the August 23, 2007 Hawai'i Supreme Court ruling in *The Sierra Club v. The Department of Transportation* to the following:

- (1). Governor Linda Lingle
- (2). Director of Department of Transportation Barry Fukunaga.
- (3). Attorney General Mark Bennett,
- (4). Assistant Attorney General Lisa Ginosa
- (5). Interim Chairwoman of the Department of Land and Natural Resources Laura Thielen
- (6) Kaua'i Mayor Bryan Baptiste
- (7) Rear Admiral Sally Brice-O'Hara, United States Coast Guard
- (8) Previously Acting Kaua'i Police Chief Clayton Arinaga
- (9) All law enforcement personnel who engaged in arrests, seizing property, or otherwise participating in the events of August 26 and 27, 2007 in Nawiliwili Harbor, Island of Kaua'i
- (10) All other persons participating in the Unified Command or otherwise in the ongoing illegal

effort to permit the Hawai'i Superferry to operate after the Hawai'i Supreme Court decision in *The Sierra Club v. The Department of Transportation* case.

B. All persons identified in Section A will gather together on the Island of Kaua'i to offer their apologies to the people they wronged by cooperating in the illegal effort to continue the operations of the Hawai'i Superferry after the decision referenced in Section A.1.(10) above. Such an apology will include participation in a formal ho'oponopono process to heal the wounds inflicted by the Hawai'i Superferry episode.

C. All persons identified in Section B above shall then gather on the Island of Maui and apologize to the people they wronged and engage in a ho'oponopono process to heal the wounds inflicted by the Superferry episode.

D. All persons identified in Section A shall sign an open letter to the people of Hawai'i offering their apologies for all the wrongs committed during the Superferry episode to be submitted to the newspapers of every island for publication.

Whether those persons identified in Section A, particularly those in high positions, shall retain their positions is a matter for the Legislature to examine and which, I respectfully suggest, should be conditioned on their complete and unreserved cooperation in a legislative inquiry into the entire Superferry episode, including and not limited to the conspiracy to violate the law that occurred after the Supreme Court decision referenced in Section 1.A.(10) above.

Such decisions should also be tempered by the fact that most of the

members of the Legislature remained mute while these acts occurred.

2. I request the State Legislature, in its capacity as Surrogate Legislature for the Kingdom of Hawai'i Legislature *in absentia* to pass legislation to appropriate the following:

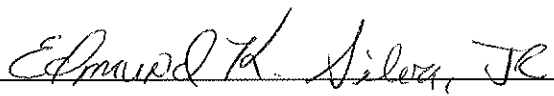
A. The sum of \$100,000 to each of the fourteen people arrested on August 26 and 27, 2007 while trying to enforce the law in Nawiliwili Harbor, Island of Kaua'i by preventing the illegal entrance of the Hawai'i Superferry.

B. The sum of \$50,000 to every other person, who provides proof by two affidavits of witnesses, that they entered the waters of Nawiliwili Harbor on August 26 and/or 27 to participate in the effort to enforce the law by preventing the entrance of the Hawai'i Superferry.

C. That these sums be paid conditioned on those receiving them waiving their right to file civil and/or criminal suits against those who may have violated their civil rights or otherwise committed a civil or criminal offense against them during the illegal efforts to continue the operations of the Hawai'i Superferry referenced above.

D. Those who decline the offer of compensation shall retain their right to pursue legal remedies against those responsible for any civil tort or criminal act committed against them.

So Ordered and signed this 17th day of October in the year 2007 (Gregorian Calendar).



Ali'i Nui Mō'i Edmund Keli'i Silva, Jr.