

Molokai Advertiser-News

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Who Owns Molokai ?

Kong Ohana seeking Justice is Disrespected by Abusive Judge Rhonda Lai-Loo When they invoke their right to jurisdiction and a fair trial as Sovereign American Citizens

report by George Peabody



Rhonda Lai-Loo

Momi and Soloman Kong knew the judicial system is corrupt because they were forcibly evicted from their 1.5 acre agriculture home in east Molokai's Kaluaaha area by government agents, judges, and greedy attorneys using fictitious color of law and Maui County Real Property Tax enforcement to take their land in violation of their rights protected by the Constitution for the United States of America. When the same cabal of ethics-challenged people filed false vindictive criminal trespass charges against Momi and Cheryl Kong, they knew they would be again persecuted by abusive judges, prosecutors operating a racket under color of law in Molokai District Court where they said they have no rights to due process or jurisdiction. To cure the problem of jurisdiction, they removed the case to United States Court where they have jurisdiction and their tormentors are required by law to respect the Sovereignty of Americans and are prohibited from judicial abuses against American Citizens by the Constitution for the United States of America.

The Kongs filed their legal notice of removal of the case to United States Court with Leslie the Clerk at Molokai District Court, and that ended any lawful jurisdiction by Judge Rhonda Lai-Loo, if any existed. All proceedings in Molokai District Court were thereby lawfully abated by due process law, added Kongs.

[As a matter of law, once a jurisdictional challenge is raised, all proceedings must stop until the jurisdiction issue is lawfully resolved in United States Court]

Now COMES judge Rhonda Lai-Loo, a former Maui prosecutor who is also married to a MPD police officer. She began a litney of bullying chaotic ramblings directed at the Kongs when they as a courtesy voluntarily appeared in "her courtroom" [not a Constitutional Court of Law] to peacefully allow her to acknowledge their jurisdiction to conduct court in United States Court. But like a very unstable and disturbed person, as a tyrant who lacks all respect for Law of the Land that protects the rights of sovereign American Citizens and by which all judges are allowed to retain their position as public servants ONLY during good behavior and are thereby bound to obey under penalty of law, Rhonda Lai-Loo ranted on and on in an apparent attempt to provoke and coerce Momi and Cheryl back into this corrupt judge's racketeering jurisdiction and preventing Momi Kong from freedom of speech. Momi Kong said she did manage to state for the Record, that Rhonda Lai-Lo has no jurisdiction [over her as a Sovereign American Citizen in personam, and no jurisdiction in the case at law], and she rejected the judge's attempts to schedule another hearing date: no jurisdiction!

Kongs' challenge against the jurisdiction unlawfully claimed by Rhonda Lai-Loo, and the removal of the case by Kongs to United States Court obviously is an embarrassment to the judge. Apparent to the Kongs and other witnesses to this unlawful and very clear hubris and abuse of judicial authority, judge Rhonda Lai-Loo is biased against the Kongs and a whole class of American Citizens who are pursued with alacrity, coerced and threatened to appear in her court of racketeering to be deprived of their freedom, their savings and their labor to support her ongoing racketeering monopoly and the attorneys complicit such that Kongs and others are undoubtedly denied a fair trial. Rhonda Lai-Loo's actions and the complicit attorneys who also benefit from this racketeering at Molokai District Courthouse amount to class biased invidious discriminatory animus, obstruction of justice, Witness Tampering, voids requirements for due process, and is just plain "UGLY", as Kongs described it.

The Kong Ohana asked where is the oversight authority to stop such abusive and bullying behavior by judges like Rhonda Lai-Loo? It seems the Committee on Judicial Evaluation and Performance would be on call for such complaints. But guess who is listed as a member of that committee: one Rhonda Lai-Loo!!

Judge Loo is also a member of the Single Tier Committee, the Business Process Assessment Committee, Charge Code Validation Table subcommittee. Spooky sounding names for the Oppressive Elite to plot racketeering methods and a legal vortex to be executed against naive American Citizens who don't know their jurisdiction or their rights and believe judges/attorneys are little gods.

All this bad behavior by judge Rhonda Lai-Loo reported by the Kongs begs these questions: 1] Is judge Loo liable for damages to her victims? 2] Should she be removed from her position as a judge? Everyone knows that judges claim immunity for even wrongful judicial behavior or decisions. But it is established law that judges ARE liable for actions in the clear absence of their jurisdiction.



A judge will not be deprived of immunity because the action she took was in error, was done maliciously, or was in excess of his authority; rather, she will be subject to liability only [435 U.S. 349, 357] when he has acted in the "clear absence of all jurisdiction." 7 13 Wall., at 351. But the conduct of a judge surely does not become a judicial act merely on her own say-so. A judge is not free, like a loose cannon, to inflict indiscriminate damage whenever she announces that she is acting in his judicial capacity. 5 [435 U.S. 349, 368]

[Editorial : Judges and attorneys and politicians who support judicial immunity claim there is "an aura of deism which surrounds the bench essential to the maintenance of respect for the judicial institution, because without immunity, judges would feel intimidated and fearful of critics. But a judicial institution in republican form as guaranteed by the Constitution for the United States and every American Citizen is not protected by exonerating from liability such lawless conduct and fraud as perpetrated by judge Rhonda Lai-Loo and Maui prosecutor Kevin Werk against the Kongs. And if intimidation of judges and prosecutors and police officers and politicians would serve to deter its recurrence, that would surely be positive action in support of the rights guaranteed to We The People against abusive servants.

We The People hold the Police Power over our servants in government offices. The People have the right to insurrection, just as clearly did the signers of the Unanimous Declaration 1776 in their indictment of King of England. Insurrection in these United States of America is a legitimate democratic right when faced with a usurping government and a coup-supporting para-military police force such as MPD; so strike out for freedom and sovereignty, march and engage in civil disobedience against corrupt judges, attorneys, politicians, police, and imperious bureaucrats, because that is "a necessary process when the republican institutions of our country is disrupted by Usupers et al, Obama included.

It is also established case law by the U.S. Supreme Court that judges cannot punish with contempt charges American Citizens who criticize them. There are in fact, at least three such pertinent rulings on the issue, Craig v. Harney 331 U.S. 367 (1947); Pennekamp v. State of Florida, 328 U.S. 331 (1946); and Bridges v. State of California, 314 U.S. 252 (1941).

Makaala ! These tyrants who call themselves judges, and their complicit benefactors of racketeering, i.e., sheriffs, police, attorneys, have a big financial stake in maintaining their usurped powers. Is your freedom worth resisting it?]

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Cheryl M. Kong, sui juris
Kaunakakai, Hawaii 96748
Telephone: (808) 213-5729

IN THE DISTRICT COURT OF THE SECOND CIRCUIT
MOLOKAI DIVISION
STATE OF HAWAII

| | | |
|------------------|---|----------------------------------|
| STATE OF HAWAII, |) | |
| |) | CASE NO. 2P510-00012 |
| Plaintiff, |) | |
| |) | NOTICE OF REMOVAL; |
| vs. |) | |
| |) | ORDER DISMISSING Charges; |
| CHERYL M. KONG , |) | CERTIFICATE OF SERVICE |
| |) | |
| Defendant. |) | |
| |) | |

NOTICE OF REMOVAL; ORDER DISMISSING CHARGES

COME NOW alleged Defendant Cheryl M. Kong, sui juris, a Sovereign American Citizen with unalienable Rights such as existed by the law of the land long antecedent to the organization of the fictional entity Corporate STATE OF HAWAII, hereby notices Molokai District Court personating judges RHONDA LAI-LOO et al, and Maui County Prosecutors KENTON WERK and SCOTT HANANO, et al, and the Clerk of Molokai District Court that this matter of Case 2P-510-00012 Criminal Trespass II, which consists of vindictive false charges under color of law and unsupported by any evidence required by law and initiated unlawfully without due process is removed to the United States District Court, Honolulu, a Constitutional Court of Law, where jurisdiction is appropriate, to petition for redress of grievance, for these causes: No fair trial is possible in Molokai District Court, and the judges and prosecutors at Molokai District Court lack inpersonam and subject matter jurisdictions in this case.

Some of my rights are: the immunity of my person and my property from arrest or seizure except under a warrant of the law, and no warrant has been lawfully issued against me in this matter. Though I have been assaulted and my liberty violated, and my property confiscated, and my health and safety threatened by police and other officers of Molokai District Court, I know as an American Citizen that I have a right to refuse to incriminate myself or to submit to a foreign jurisdiction, and to have assistance of counsel, and a trial by jury.

For the RECORD, Cheryl M. Kong, sui juris, is aware of a long record of judicial misconduct, prosecutorial misconduct, racketeering, and a conspiracy to deprive me and others of rights, lack of and violation of due process, and criminal prosecutions based on perjury in proceedings of the Molokai District Court.

As a Sovereign American Citizen sui juris vindicating my CONSTITUTIONAL RIGHTS, Cheryl M. Kong will permit the judges/prosecutors et al to ACKNOWLEDGE my jurisdiction under the Constitution and Laws for the United States of America to HOLD COURT and see that the record of judicial proceedings is proved in accordance with congressional provisions. THEREFORE: It is the Order of this Court, that case 2P-510-00012 Criminal Trespass II is dismissed with prejudice, and now you may acknowledge for the Record.

Dated: Kaunakakai, Hawaii, February 22, 2010.
Respectfully submitted,

By: _____
Cheryl M. Kong, sui juris

UNITED STATES COURT Hawaii District
300 Ala Moana Blvd Rm C-338
Honolulu, Hawaii 96850

**NOTICE OF TRANSFER TO CURE JURISDICTION
VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE
RE: Molokai District Court Case 2P-510-00012**

COMES NOW, Cheryl M. Kong, United States National Citizen Sui Juris in Proper Party representative of the United States of America and real party to the action who appears for the Court under 28 U.S.C. § 1654 swears, affirms and verifies as proved in accordance with 28 U.S.C. § 1746 the following NOTICE OF TRANSFER TO CURE JURISDICTION found at 28 U.S.C. § 1631, VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE and states for the record of judicial proceedings under the terms of the corrected jurisdiction at 28 U.S.C. § 1653 as follows:

1. THAT she is demanding redress of grievance in accordance with the Constitution for the United States of America pursuant to Article III under the judicial power vested in one supreme Court and such inferior tribunals ordained and established by the congress of the United States of America.
2. THAT she has a right to commence a civil action for deprivation of rights under 28 U.S.C. § 1343 in the United States District Court.
3. THAT she is denied and obstructed from enforcing her rights as United States Citizen pursuant to 28 U.S.C. § 1443 in the current municipal chancery Molokai District Court where the case is pending without her consent.
4. THAT for cause shown in accordance with 28 U.S.C. § 1446 the persons operating the state enterprise under color of law are enjoined from proceeding with the prosecution in Molokai District Court against Cheryl M. Kong.
5. THAT the record of judicial proceedings may be transmitted to the office of the United States District Court with regards to 28 U.S.C. § 1449 or remain in situ for special session of United States Court under 28 U.S.C. § 141 and 28 U.S.C. § 462.

THEREFORE it is the order of this court that jurisdiction regarding Case 2P-510-00012 is transferred to United States District Court, Hawaii, for the constitutional conduct of her tribunal in republican form and for all other relief as the protection of the law allows.

Cheryl M. Kong, sui juris Mail address:

VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE

I, Cheryl M.Kong, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my Ability, preserve, protect and defend the Constitution for the United States of America and further that I swear and affirm under the laws of the United States of America in accordance with 28 U.S.C. § 1746 that the foregoing NOTICE OF TRANSFER TO CURE JURISDICITON, is true and correct to my personal knowledge, information and belief agreeable to Rule 11 and that I have served, filed and recorded all documents upon the United States Court for the Hawaii District of Honolulu, and others, by sending the originals to the office of the Court by United States Mail on this 22rd day of February, 2010.

In witness thereof I hereupon put my hand and seal.

Cheryl M. Kong, sui juris

ORIGINAL

DEPARTMENT OF THE PROSECUTING ATTORNEY 207

KENTON S. WERK 7831
Deputy Prosecuting Attorney
County of Maui
Wailuku, Maui, Hawaii 96793
Tel. No. 270-7787
Fax. No. 242-0084

FILED

2010 FEB 18 PM 2:06

N. MARTIN
N. MARTIN, CLERK
SECOND CIRCUIT COURT
STATE OF HAWAII

Attorney for the State of Hawaii

IN THE DISTRICT COURT OF THE SECOND CIRCUIT
MOLOKAI DIVISION
STATE OF HAWAII

| | | |
|-----------------|---|-----------------------------|
| STATE OF HAWAII |) | CASE NO. <u>2P510-00012</u> |
| |) | CRIMINAL TRESPASS IN THE |
| v. |) | SECOND DEGRE (10-05502) |
| |) | |
| CHERYL M. KONG, |) | AMENDED COMPLAINT |
| |) | |
| Defendant. |) | A & P DATE: 2/23/10 |
| |) | 8:30 A.M. |
| |) | |

AMENDED COMPLAINT

The STATE OF HAWAII, through the undersigned, its Deputy Prosecuting Attorney, hereby accuses and charges the Defendant as follows:

That on or about the 21st day of January, 2010, in the Division of Molokai, County of Maui, State of Hawaii, CHERYL M. KONG did knowingly enter or remain unlawfully in or upon premises which were enclosed in a manner designed to exclude intruders or were fenced, to wit, Kamehameha V Highway, MP 14.1, Kaluaaha, Molokai, Maui, Hawaii, thereby committing the offense of Criminal Trespass in the Second Degree in violation of Section 708-814(1)(a) of the Hawaii Revised Statutes.

DATED: February 18, 2010

Kenton S. Werk
KENTON S. WERK
Deputy Prosecuting Attorney
County of Maui

Dorothy L. Kong, sui juris
Kaunakakai, Hawaii 96748
Telephone: (808) 213-5729

IN THE DISTRICT COURT OF THE SECOND CIRCUIT
MOLOKAI DIVISION
STATE OF HAWAII

| | | |
|-------------------|---|----------------------------------|
| STATE OF HAWAII, |) | |
| |) | CASE NO. 2P510-00013 |
| Plaintiff, |) | |
| |) | NOTICE OF REMOVAL; |
| vs. |) | |
| |) | ORDER DISMISSING Charges; |
| DOROTHY L. KONG , |) | CERTIFICATE OF SERVICE |
| |) | |
| Defendant. |) | |
| |) | |

NOTICE OF REMOVAL; ORDER DISMISSING CHARGES

COME NOW alleged Defendant Dorothy L. Kong, sui juris, a Sovereign American Citizen with unalienable Rights such as existed by the law of the land long antecedent to the organization of the fictional entity Corporate STATE OF HAWAII, hereby notices Molokai District Court personating judges RHONDA LAILOO et al, and Maui County Prosecutors KENTON WERK and SCOTT HANANO, et al, and the Clerk of Molokai District Court that this matter of Case 2P-510-00013 Criminal Trespass II, which consists of vindictive false charges under color of law and unsupported by any evidence required by law and initiated unlawfully without due process is removed to the United States District Court, Honolulu, a Constitutional Court of Law, where jurisdiction is appropriate, to petition for redress of grievance, for these causes: No fair trial is possible in Molokai District Court, and the judges and prosecutors at Molokai District Court lack inpersonam and subject matter jurisdictions in this case.

Some of my rights are: the immunity of my person and my property from arrest or seizure except under a warrant of the law, and no warrant has been lawfully issued against me in this matter. Though I have been assaulted and my liberty violated, and my property confiscated, and my health and safety threatened by police and other officers of Molokai District Court, I know as an American Citizen that I have a right to refuse to incriminate myself or to submit to a foreign jurisdiction, and to have assistance of counsel, and a trial by jury.

For the RECORD, Dorothy L. Kong, sui juris, is aware of a long record of judicial misconduct, prosecutorial misconduct, racketeering, and a conspiracy to deprive me and others of rights, lack of and violation of due process, and criminal prosecutions based on perjury in proceedings of the Molokai District Court.

As a Sovereign American Citizen sui juris vindicating my CONSTITUTIONAL RIGHTS, Dorothy L. Kong will permit the judges/prosecutors et al to ACKNOWLEDGE my jurisdiction under the Constitution and Laws for the United States of America to HOLD COURT and see that the record of judicial proceedings is proved in accordance with congressional provisions. THEREFORE: It is the Order of this Court, that case 2P-510-00013 Criminal Trespass II is dismissed with prejudice, and now you may acknowledge for the Record.

Dated: Kaunakakai, Hawaii, February 22, 2010.
Respectfully submitted,

By: _____
Dorothy L. Kong, sui juris

UNITED STATES COURT Hawaii District
300 Ala Moana Blvd Rm C-338
Honolulu, Hawaii 96850

NOTICE OF TRANSFER TO CURE JURISDICTION
VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE
RE: Molokai District Court Case 2P-510-00013

COMES NOW, Dorthy L. Kong, United States National Citizen Sui Juris in Proper Party representative of the United States of America and real party to the action who appears for the Court under 28 U.S.C. § 1654 swears, affirms and verifies as proved in accordance with 28 U.S.C. § 1746 the following NOTICE OF TRANSFER TO CURE JURISDICTION found at 28 U.S.C. § 1631, VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE and states for the record of judicial proceedings under the terms of the corrected jurisdiction at 28 U.S.C. § 1653 as follows:

1. THAT she is demanding redress of grievance in accordance with the Constitution for the United States of America pursuant to Article III under the judicial power vested in one supreme Court and such inferior tribunals ordained and established by the congress of the United States of America.
2. THAT she has a right to commence a civil action for deprivation of rights under 28 U.S.C. § 1343 in the United States District Court.
3. THAT she is denied and obstructed from enforcing her rights as United States Citizen pursuant to 28 U.S.C. § 1443 in the current municipal chancery Molokai District Court where the case is pending without her consent.
4. THAT for cause shown in accordance with 28 U.S.C. § 1446 the persons operating the state enterprise under color of law are enjoined from proceeding with the prosecution in Molokai District Court against Dorthy L. Kong.
5. THAT the record of judicial proceedings may be transmitted to the office of the United States District Court with regards to 28 U.S.C. § 1449 or remain in situ for special session of United States Court under 28 U.S.C. § 141 and 28 U.S.C. § 462.

THEREFORE it is the order of this court that jurisdiction regarding Case 2P-510-00013 is transferred to United States District Court, Hawaii, for the constitutional conduct of her tribunal in republican form and for all other relief as the protection of the law allows.

Dorthy L. Kong, sui juris Mail address:

VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE

I, Dorthy L. Kong, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my Ability, preserve, protect and defend the Constitution for the United States of America and further that I swear and affirm under the laws of the United States of America in accordance with 28 U.S.C. § 1746 that the foregoing NOTICE OF TRANSFER TO CURE JURISDICITON, is true and correct to my personal knowledge, information and belief agreeable to Rule 11 and that I have served, filed and recorded all documents upon the United States Court for the Hawaii District of Honolulu, and others, by sending the originals to the office of the Court by United States Mail on this 22rd day of February, 2010.

In witness thereof I hereupon put my hand and seal.

Dorthy L. Kong, sui juris

ORIGINAL

DEPARTMENT OF THE PROSECUTING ATTORNEY 207

FILED

KENTON S. WERK 7831
Deputy Prosecuting Attorney
County of Maui
Wailuku, Maui, Hawaii 96793
Tel. No. 270-7787
Fax. No. 242-0084

2010 FEB 18 AM 10:45

J. KAYA, CLERK
SECOND CIRCUIT
STATE OF HI

Attorney for the State of Hawaii

IN THE DISTRICT COURT OF THE SECOND CIRCUIT
MOLOKAI DIVISION
STATE OF HAWAII

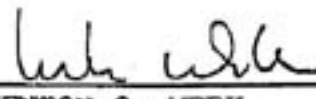
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|------------------|---|------------------------------|
| STATE OF HAWAII |) | CASE NO. 2P <u>510-00013</u> |
| |) | CRIMINAL TRESPASS IN THE |
| v. |) | SECOND DEGREE (10-05502) |
| |) | |
| DOROTHY L. KONG, |) | COMPLAINT |
| |) | |
| Defendant. |) | A & P DATE: 2/23/10 |
| |) | 8:30 A.M. |
| |) | |

COMPLAINT

The STATE OF HAWAII, through the undersigned, its Deputy Prosecuting Attorney, hereby accuses and charges the Defendant as follows:

That on or about the 21st day of January, 2010, in the Division of Molokai, County of Maui, State of Hawaii, DOROTHY L. KONG did knowingly enter or remain unlawfully in or upon premises which were enclosed in a manner designed to exclude intruders or were fenced, to wit, Kamehameha V Highway, MP 14.1, Kauaaha, Molokai, Maui, Hawaii, thereby committing the offense of Criminal Trespass in the Second Degree in violation of Section 708-814(1)(a) of the Hawaii Revised Statutes.

DATED: February 17, 2010


KENTON S. WERK
Deputy Prosecuting Attorney
County of Maui

Both Cheryl and Dorothy received a Deficiency Order from federal judge demanding they pay a \$350 bribe to proceed. Soliciting a Bribe is a CRIME !

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

| | | |
|-------------------------|---|------------------------------|
| Dorothy L. Kong, |) | CV 10-00091HG-LEK |
| |) | |
| Plaintiff(s), |) | |
| |) | DEFICIENCY ORDER |
| vs. |) | |
| |) | |
| Molokai District Court, |) | FILED IN THE |
| |) | UNITED STATES DISTRICT COURT |
| |) | DISTRICT OF HAWAII |
| |) | February 23, 2010 |
| Defendant(s). |) | At 4 o'clock and 00 min p.m. |
| |) | SUE BEITIA, CLERK |

DEFICIENCY ORDER

Plaintiff, proceeding pro se, has filed a Complaint in this court that was not accompanied by either a filing fee or an application to proceed *in forma pauperis*. All parties instituting any civil action, suit or proceeding in a United States district court, other than a writ of habeas corpus, must pay a filing fee of \$350.00. See 28 U.S.C. § 1914(a). An action may only proceed without prepayment of the filing fee if the party is granted leave to proceed *in forma pauperis* ("IFP"). 28 U.S.C. § 1915(a); *Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999).

Plaintiff is advised that he or she must either pay the statutory filing fee or submit a fully-completed and executed *in forma pauperis* application within thirty days (including weekends and holidays) of this Order. Failure to do so will result in **AUTOMATIC DISMISSAL** of this action for failure to prosecute or otherwise follow a court order. See Fed. R. Civ. P. 41(b);

Olivares v. Marshall, 59 F.3d 109, 112 (9th Cir. 1995) (stating that the district court has authority to dismiss the complaint for failure to pay partial filing fee); *In re Perroton*, 958 F.2d 889, 890 (9th Cir. 1992) (affirming dismissal of appeal of pro se litigant for failure to pay required filing fees).

IT IS HEREBY ORDERED that:

1. The Clerk of Court is **DIRECTED** to send Plaintiff an appropriate copy of the Court's Application to Proceed *in forma pauperis* with the accompanying information sheet.
2. Plaintiff is GRANTED thirty days to either pay the filing fee or submit a completed and executed application to proceed *in forma pauperis* on the forms provided by the court with this Order. The application must bear the docket number assigned to this case. Failure to timely file an *in forma pauperis* application or the statutory filing fee within thirty days of the date of this Order will result in AUTOMATIC DISMISSAL of this action.

IT IS SO ORDERED.

DATED: February 23, 2010 at Honolulu, Hawaii,



/s/ Susan Oki Mollway
SUSAN OKI MOLLWAY
CHIEF UNITED STATES DISTRICT JUDGE