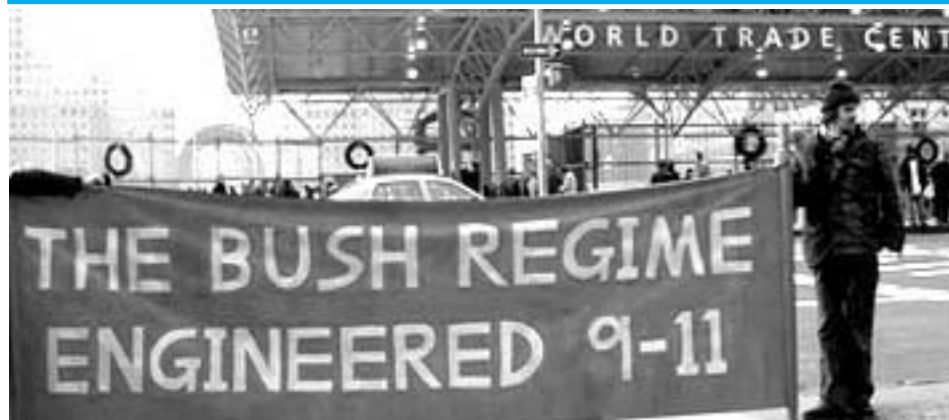


Molokai Advertiser-News

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The Militia of Molokai's Community Newspaper—Every Wednesday

January 19, 2005



911 Lawsuit Against Bush et al Dismissed

Judge says Citizens do not have the right to hold a sitting President accountable!!!

The federal class action lawsuit against top Bush Administration officials for, among other things, their roles in engineering and orchestrating the 911 attacks has been dismissed by federal Judge Illston. Attorney for the plaintiffs, Stanley Hilton is preparing an appeal to the Ninth Circuit Court and hopes to reverse the judge's ruling.

Hilton that the judge's ruling was based on the "Doctrine of Sovereign Immunity". In other words, the suit was not dismissed because of lack of evidence, there's plenty of that, but rather because the judge reasoned that U.S. Citizens do not have the right to hold a sitting President accountable for anything, even if the charges include premeditated mass murder and premeditated acts of high treason. Mr. Hilton and his plaintiffs disagree and so are filing an appeal.

If the Ninth Circuit reverses the U.S. District Court of Northern California's decision, the suit will be amended and new plaintiffs and allegations will be added. Bush said: "I'm the commander; I do not need to explain why I say things. That's the interesting thing about being the President. Maybe somebody needs to explain to me why they say something, but I don't feel like I owe anybody an explanation. You don't get everything you want. A DICTATORSHIP would be a lot easier. If this were a dictatorship, it'd be a heck of a lot easier, just so long as I'm the dictator." George W Bush, CNN, 18th December 2000 Hitler said: "An evil exists that threatens every man, woman, and child of this great nation. We must take steps to ensure our domestic security and protect our Homeland." - Adolf Hitler, proposing the creation of the Homeland Gestapo in Nazi Germany.

Anti-Inauguration Jan 20 Protests

by ANSWER

About 250,000 people are expected to attend the first inauguration ceremony since the Sept. 11, 2001, terrorist attacks, according to the Secret Service, which is in charge of security for the event. An additional 500,000 are expected to line the parade route along Pennsylvania Avenue as about 2,500 uniformed police on security and medical duty, an additional 4,700 military troops provide security from terrorists.

A pro-Bush group, freerepublic.com, yesterday criticized a Secret Service edict that prevented members from waving miniature American flags during the inaugural parade.

War-protest groups complain that the security rules violate Freedom of Speech are preventing them from mounting effective demonstrations. Secret Service decided that protestors using wooden supports to hold signs and banners could be used as weapons. [Obviously police want The People to be completely disarmed and vulnerable to police violence and other terrorists.]

"They're saying sign posts is a security issue; we think it's a political issue," said Bill Hackwell of the pro-peace group ANSWER.

ANSWER also plans to challenge the Park Service's process for issuing permits.

"Over 95 percent of Pennsylvania Avenue will be people who had to buy tickets," Hackwell said. "They've made it a pay-per-view event." People answering phones at Ticketmaster yesterday said callers needed an invitation and identification number to buy a ticket.

Although Presidential Inaugural Committee officials have repeatedly said that the tickets along the Pennsylvania Avenue route are available to the public, the suit alleges that individual members of the public are blocked from buying them unless they are Bush donors or supporters who have received an invitation and special identification number from the committee.

The lawsuit, filed by the ANSWER Coalition, seeks to stop the National Park Service from cordoning off large sections of Pennsylvania Avenue for Thursday's inauguration. A federal judge is expected to hold a hearing on the case early next week.

"Pennsylvania Avenue is considered American's Main Street," said Mara Verheyden-Hilliard, an attorney with the Partnership for Civil Justice, which helped file the suit. "For the government to come in and take this space, to say you may only have access to this event if your viewpoint is approved by the incoming administration, is a fundamental violation of all of our First Amendment rights."

Most of downtown Washington will be impassable during the ceremony, parade, and inaugural balls. The city's subway system will skip two downtown stations, and the region's airspace will be more restricted than usual on the day of the event. Blackhawk helicopters and fighters will patrol the skies, and the Coast Guard plans to step up security on the Potomac River. Washington police have told residents of some streets close to the parade route or inaugural balls that they may need to show photo identification to get to their homes during the festivities.

Russian Thugs Hired U.S. Internal Passports Let me see your papers!

Next year, the Department of Homeland Security (another monstrous waste of money and resources) will begin issuing so-called "uniformity regulations" to the sovereign states of the Union requiring that all driver's licenses and birth certificates meet some federal standards along with biometrics "security" provisions. Road-block checkpoints will then be set up and, for the first time since creation of this Republic USA, just like slaves in Stalinist Russia, American People will be required to "show your papers!"

Some members of Congress are aware of, but unwilling to discuss, the hiring in 2003 by the Bush administration's Department of Homeland Security, Office of Information Awareness, of two ex-KGB chiefs (secret police in the Soviet Union) by the names of Gen. Alexander Karpov and Gen. Yvgeny Primakov. Primakov was also Premier of Russia in the late nineties, is a close associate of Saddam Hussein, and was in Baghdad one month prior to the U.S. invasion, advising Hussein against USA.

Maybe You Do NOT owe any IRS Tax?

Distilled by The MAN from Section 861: THE 10 PART SERIES located at

<http://www.861.info/pgs/861course.php>

The federal income tax is imposed on the "taxable income" of individuals, NOT all income. The very first question that everyone must answer BEFORE diving into the rest of the income tax statutes and regulations is whether THEIR income becomes "taxable income" within the legal meaning of the federal income tax law [most cases it does not].

The reason is simple. If the reader does NOT have "taxable income," no federal income taxes are owed. If the reader DOES have "taxable income," then they may owe federal income taxes (after allowable deductions).

IRS law clearly states the following:

1. NOT ALL income is taxable.
2. The tax code exempts some income from taxation.
3. The Constitution excludes other income from taxation.
4. CPAs and lawyers don't know about the Constitutional exemptions.
5. We need to know WHICH income is exempt in order to determine what we owe.

For anyone to accurately determine his "taxable" income, he must FIRST determine what is excluded by statute and what is excluded by the Constitution. Most CPAs and Tax Experts do not know about the limits on taxation imposed by our Constitution: (see Article 71, 26 CFR § 39.22(b)-1 which says that income which American citizens and residents receive from FOREIGN commerce counts as "gross income." Specific mention is also made of the domestic income of nonresident aliens and foreign corporations, and of people and companies getting most of their income from federal possessions (such as Puerto Rico). There is NO MENTION of Americans who receive income from working just in the 50 states. There it is again: NOT all income is taxable. Naturally, before you file that return, you NEED TO KNOW whether some (or all) of your income is exempt from the tax, or you will FAIL TO PROPERLY COMPLY WITH THE LAW. The current regulations say that the common "items" of income sometimes include EXEMPT income.

Remember, if all you have is a million dollars of EXEMPT income, you owe NOTHING in federal income taxes. So, we need to know what income is taxable and what income is exempt, and THE LAW ITSELF must (and does) tell us. We are not required to pay what "everyone knows" that we owe, or even what the CPAs or lawyers say we owe; we are required to pay WHAT THE LAW SAYS we owe; nothing more, nothing less.

This series introduces you to the sections of the law that have always existed to answer that question, including Subchapter N, Section 861, which until recently has been nearly universally overlooked or misunderstood. What it shows is that income is taxable ONLY if it is derived from international commerce (including the domestic income of foreigners). Most Americans are engaged only in domestic commerce.

IS YOUR income listed as TAXABLE? The list specifically mentions:

1. Americans with foreign income.
2. Foreigners with income from the U.S.
3. Rules about federal possessions (and foreign sales corporations).

There must be specific words of the law that CREATE tax obligations and if those words ARE NOT in the law, then the obligation to pay income taxes does NOT exist. If the law does not say it, the law does not mean it. Past and present, the regulations "expressly describe" certain international income as being subject to the tax, but the domestic income of the average American (most incomes) is not mentioned on the list. According to the decades of written law, only income from certain types of INTERNATIONAL trade is subject to the U.S. federal income tax. The domestic income of the "average" American (most incomes) is NOT. NOTHING is subject to a tax unless it is "specifically pointed out in the IRS law. If your income is not listed as taxable, then it is NOT taxable. PERIOD.

The law does NOT lie and the evidence in over 80 years of the law will NOT go away, proving that government lawyers primarily in the Treasury Department have knowingly misrepresented the law to most Americans, leading them to believe that the income tax is a direct tax on their incomes and that all incomes are taxed (when this is not true) in order to STEAL money not owed according to IRS law.

If you do not make the TRUTH your own, then government agents will make the truth for you. Read the law yourself [see 26CFR § 1.863-1 c]: "The taxpayer's taxable income from sources WITHIN OR WITHOUT the United States WILL BE DETERMINED under the rules of Secs. 1.861-8 through 1.861-14T for determining taxable income from sources within the United States." 26 CFR § 1.861-8 shows that the taxable "sources of income" from within the United States apply only to those engaged in international or foreign commerce (including commerce within federal possessions).

If you approach IRS tax season by assuming that your income is NOT taxable unless the IRS law specifically says it is taxable (which is what the Supreme Court SAYS is the way you should do it), you will conclude from the evidence in the law that you DON'T owe the IRS income tax. <http://www.861.info/pgs/861course.php>

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January 14, Friday - Al-Anon 4 pm OneAlii Park, 553-5883 info.
 January 17, Monday Martin Luther King, Jr. Day Holiday
 Libraries, schools, government offices closed.
 January 21, Friday - Al-Anon , 4 pm OneAlii Park, 553-5883 info.
 January 22, Saturday
 Ka Molokai Makahiki, Kaunakakai Field, 7am
 February 1, Tuesday - *Kung Hee Fat Choy! Chinese New Year*
 February 12 Saturday -Keiki Expo, 9am-noon, Mitchell Pauole Ctr.



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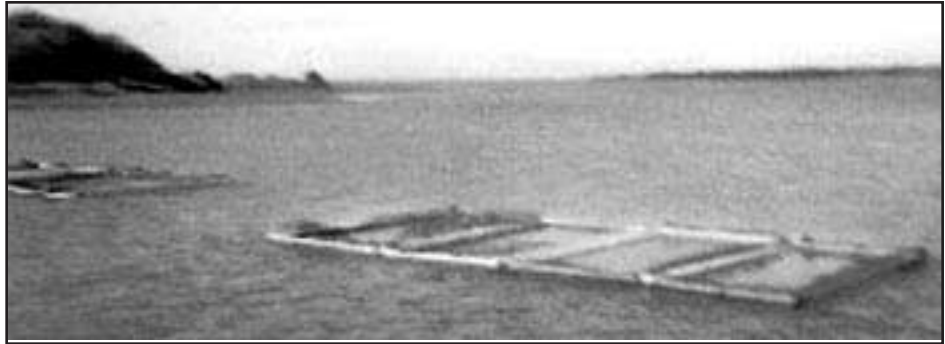
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STEWARDS OF THE LAND
KAHEHAMEHA SCHOOLS BISHOP ESTATE, D & J OCEAN FARMS INC. TMK: (2)5-6-006:34 & 5-6-006:24

The members of Malama Pono O'Ka Aina and The Mana'e Kupuna Council located on Molokai would like to inform our community about the series of actions on D&J Ocean Farms and their landlords KSB. [contact Linda Place (808) 558-8182]

D&J Ocean Farms is located on the east side of Molokai according to their documents. D&J has been in business for 15 years. This company is owned and operated by Mr. Joseph Manaba and Desmond (Christy) Manaba who are now in violation of several county permit requirements. People of Molokai how can a business of 15 years and of this size have no GRADING AND EXCAVATING PERMITS, this includes all 16 earthen ponds located on this property. D&J is also responsible for a trench dug to divert a natural flow of water in order to stop flooding. This trench dug by D&J now diverts flood waters onto property leased by Oceanic Institute, what a good neighbor.



D&J has also constructed 3 building structures ALL WITHOUT BUILDING PERMITS. D&J has also used ASPHALT



to construct or improve a road leading out to Kalaeloa Island, all this passing thru wet lands. Also located on this island is a complete bathroom, running water and flushing toilet. Where is all the gray waste water going? This island sits at or just above sea level all done without proper permits. It has also come to our attention that a 2 story home was built and again without any building permit. Without the proper permits how would one proceed with the installation of electrical and plumbing utilities?

DLNR has also taken interest in D&J Ocean Farms because of their ogo production in open waters that require permits. Desmond Manaba of D&J has been contacted and warned about such action but has continuously ignored the warnings. Any complaints regarding any illegal activities can be reported to DLNR at: (808) 587-0377.

Desmond Manaba over time has gone on to blame the "jealous and selfish" people that is trying to ruin his business. The people of Molokai have nothing to do with the business of D&J Ocean Farms. Any and all fault is the responsibility of Joseph and Desmond Manaba. D&J Ocean Farms has been informed by KSB

letter dated July 26, 2000 to obtain the proper permits. The Molokai-Lanai Soil and Water Conservation District Office on Molokai did a site visit in 2002 at this time recommendations to assist in developing a conservation plan were refused by D&J Ocean Farms. It was stated by Desmond Manaba that County permits for grading and grubbing were obtained, however when copies were requested by the Molokai-Lani Soil and Water Conservation office none could be produced. D&J Ocean Farms also has NO Conservation Plan as of date.

"ANY CLAIMS OR DEFENSE OF IGNORANCE IS UNACCEPTABLE FROM SO-CALLED BUSINESS LEADERS!

Desmond Manaba upon notification by County agencies has sent out letters of "GOOD FAITH." In these letters Desmond Manaba has conveyed that he is making every effort to address the problems. Are we to believe that after 15 years of being in business Joseph and Desmond Manaba had no idea of what type of permits were required? When such actions are taken to start a business small or large the first thing done is research into the proper requirements that pertain to your particular business. With the experience of Joseph Manaba are we to assume that this phase of research was ignored? One can only conclude that Joseph and Desmond Manaba has had ample time to work with NRCS in developing a Conservation Plan. Desmond Manaba has also had sufficient time to ensure that D&J Ocean Farms were current and in compliance with all County, State and Federal regulations. We feel 15 years is more than ample time.

D&J Ocean Farms is being used as a field trip destination by our local schools. We are fully aware that the KSB campus in Honolulu has all the proper permits as required; this is to ensure that all phases of construction is completed in the proper way to ensure public safety.

The most disturbing factor is Desmond Manaba of D&J Ocean Farms has done nothing. In their continued efforts to side step all issues they also have turned to the "vendetta defense". It is easy to say it's a personal matter in order to dismiss complaints or concerns as voiced by the community yet look at the information as provided by our community groups. Personal YES the welfare of our Aina should be personal to every Hawaiian like the BLOOD that flows in our veins.

Look at the information above, STEWARDS OF THE LAND I THINK NOT, MORE LIKE CLOSE YOUR EYES AND COLLECT THE MONEY.

FOOL SOME HAWAIIANS BUT NOT THE HAWAIIANS ON MOLOKAI. SHAME ARE THE ACTION OF THOSE CLAIMING TO HELP OUR PEOPLE AND TURN TO DISMISS THE PEOPLE!

Mahalo,
 Malama Pono O'Ka Aina: Linda Place (808) 558-8182, Mana'e Kupuna Council: Zaidarene Kalipi

MHS Varsity Math Team Rebounds in Oahu Math League Meet #3

Information submitted by D. Bennett, MHS Math Dept.

On November 13th, the Molokai High School Math Team fell to a 7th place finish in their second OML meet of the season. Due in part to losing two seasoned competitors to the Hawaii State Cross Country meet, the Farmers were able to earn only 47 points in the competition. Led by Senior Captain Dayton Wong with 17 points, Junior Elizabeth Bachtel contributed 9 and Sophomore Zaneta Whitten scoring 9 also. The scoring was completed with Freshman Ayla Bicoy scoring 6 and Seniors Lamertcia Gorsich getting 4 and Aaron Delos Reyes, 2. In Junior Varsity competition, Ashley Ponce had 4 points. Also competing on this trip were Frank Borden and Nicole Shook. By taking 7th place, the Farmers lost one place standing and were now tied for 3rd place out of ten teams with St. Francis and Damien, behind Hanalani and Sacred Hearts.

Back at full strength for the 3rd OML meet on December 11 at Windward Community College, the Farmers started and finished strong scoring well in Events 2 and 5, Pythagorean Triangles and Operations with Polynomials. The team of Dayton Wong, Louiegy Ponce and Jason Piros also scored 10 points in the tam round. Molokai ended up in 1st place narrowly edging out Hanalani by 6 points, and Sacred Hearts by 10. Scoring a total of 84 points, the Farmers were led by the Senior Trio of Ponce, Wong and Piros with 25, 20, and 15 respectively. Freshman Ayla Bicoy came through in a big way by doubling her output from meet 2, earning 12 points. Also scoring was Jade Dela Cruz with 2 points. Other Farmers at the meet #3 were Keani Kawano, Aaron Delos Reyes, Lamertcia Gorsich, and Ashley Ponce.

After three meets the Farmers are in sole possession of 3rd place in the OML and will be practicing over winter break to prepare for Meet #4 at Farrington High School on January 15, 2005.

League standings after 3 meets are as follows: [1] Hanalani - 4; [2] Sacred Hearts - 9; [3] MOLOKAI - 10; [4] Kalaheo - 14; [4] Saint Francis - 14; [6] Damien - 15; [7] Castle - 19; [8] Kapolei -24; [9] Assets - 26.5; [9] - Kahuku - 26.5.

Molokai Intermediate School 2nd Quarter Honors List Announced

The **Honor Roll** students who earned Mark Point Averages of 3.500 to 4.000 for the second quarter of the 2004-2005 school year are:

Grade 7: Chenoa Ahuna-Kaai, Courtney Albino, Julien Bumatay, Jacob Cruz, Danna-Lynn Hooper-Juorio, Taisha Kawamae, Kanahela Montizor, Karley Phillips, Poliahu Purdy, Alana Starkey, Ashley Tangonan. **Grade 8:** Tiare Bermudez, Giovanni Cleghorn, Estrella Madani, Kaohela Ritte-Camara, John Rosales.

The **Honorable Mention** students who earned Mark Point Averages of 3.000 to 3.499 for the second quarter of the 2004-2005 school year are:

Grade 7: Keani Acasio, Trishia Agbuya, Jamie Duvauchelle, Jo Duvauchelle, Ceriann Espiritu, Aulani Hiro, Kaprice Ingram Aki, Calvin Kahana-Kalua, Kelli Kawano, Mark Kay, Elizabeth Keliikuli-Peters, Rachel Luczon, Kathrine Luuloa-Chang, Anna-Nicol Madela, Melody Ocampo, Lohiao Paoa, Lori-Lynn Pedro-Kalua, Patricia Pele, Mahailia Rapanot-Mcguire, Shaye Santiago, Chris-Jenn Tancayo, Thersha-D'on Tay, Leimana Velez.

Grade 8: Nakaiimoku Acasio, Kuulei Alameida, Petrena Alvarez, Cristy Bali, Jazzlynn Bishaw, Jerome Clemente, Aiko English, Javis Esteron, Dylan Guerrero, Courtney Keanini, Taesha Lenwai, Terina Naki, Kaelin Tancayo, Hannah Teves, Chentel Villa.

MHS 2nd Quarter Honors List

The **Principal's Honors List** are students who earned Mark Point Averages of 4.000 or above while enrolled in six or more courses, four or more of which are solid courses. For the second quarter of the 2004-2005 school year, they are:

Grade 9: Ayla Bicoy, Tierra Madani. **Grade 10:** Tiana Conley, Joseph Masui, Justin Neuhart, Jeanette Tensfeldt. **Grade 11:** Kahealani Hamakua, Mia Langer. **Grade 12:** Jacquelyne Buchalter, Jason Piros, Louiegy Ponce, Sky Ritte-Camara, Dayton Wong.

The **Honor Roll** students who earned MPAs of 3.500 to 4.000 or above for the second quarter of the 2004-2005 school year are:

Grade 9: Brawn Albino, Whitney Apo, Arian Blair, Kuilauokalani Chow, Jonathan Clemente, Makalele Gorsich, Tesia Hirose, Chelsea Kapuni, Christine Keliikuli-Peters, Zachary Kiyani, Jaimie Langer, Nicolette Montizor, K-Cel Pawn-Kalilikane, Kelsy Takashima, Rusty Valdez.

Grade 10: Kristina Cacpal, Jaimie Casino, Jose Clemente, Henry Corpuz, Jade Dela Cruz, Keani Kawano, Jessie Keanini, Punahale Luafalemana, Melissa-Ann Luuloa-Chang, Kimberly Mokuau, Vanalouise Montizor, Deisha Pico, Ashley Ponce, Chelae Primacio, Kaenaokala Sproat-Albino, Hanson Wong, Lorina Young.

Grade 11: Elizabeth Bachtel, Michael Bethke, Jennifer Boswell, Leisha Marie Caspillo Aalona, Josiah Cruz, Marlon Espejo, Lian Gonzalez, Julia Guerrero, Nelson Jenks-Puaa, Elizabeth Kahoohanohano, Devon Kikukawa, Carmen McCartney, Kamuela Tapia, Jessica Wooldridge.

Grade 12: Desarae Apuna, Charlene Cabanting, Jenny Lynn Casino, Leslie-Ann Casino, Jasmine Kaahanui, Nakoa Kaahanui, AJ Kalima-Moses, Kaycee Kawano, Kawaiula Kino, Jessi Moran, Filiga Piliati, Izasnell Rapanot, Rebecca Seguritan, Kevin Tensfeldt, Crystal Yuen.

The **Honorable Mention** students who earned MPAs of 3.000 to 3.499 for the first quarter of the 2001-2002 school year are:

Grade 9: Keoki Mollena-Akina, Gavin Pelekane-Tamashiro, Alea Arce, Kaylene Bettencourt, Jorjay Bumatay, Kaniu Candelario, Tawney Fernandez, Jacquelyn Gines, Pulamalani Hanaoka, Randy Kalauli, Liwai Kamaile, Lanre Kekoa, Donovan Keliipuleole, James Kerisiano, Mahina Pelekane, Daniel Pelekane-Tamashiro, Charles Puaa-Spencer, James Puaa-Spencer, David Puaoi-Dawson, Brittany Ann Rawlins, Ku Seitz, Adrianna Sibayan, Kaden Tabil, Kendall Willing, Lisa Wooldridge.

Grade 10: Carl Adolpho, Kum-Lin Ah Yee, Aolani Ahina, Crystal Alameida, Dartagnon Bicoy, Shigeharu Bonk, Frank-Charles Borden, Jubail Bumatay, Stacie Bush, Riley Domingo, Keoki Gramberg, Mei-Lee Kahee, Ayla Kalawe, Ariel Keanini, Matthew Kelly, Joreen Kepa, Kirk Kiaha, Tiffany Mae, Shardaie Malu-Calaio, Anuheia Naeole, Koddie-Jaymes Purdy-Kaai, Jared Sasada, Allen-Marie Tancayo, Corey Vianzos, Zaneta Whitten, Char-Lei Willing-Maliu.

Grade 11: Chas Albino, Jacqueline Bali, Mark Ballocanag, Darren Bermudez, Shalei Borden, Troy Delacruz, Taryn-Alyssa Dudoit, Asherley Esteron, Jackleen Hadley, Melanie Kamoku, Tristan Kiyani, Natalie Luczon, Grant Ne, Lyda Negrillo, Tiana Pastrana, Loraine Puaoi-Dawson, Sarah-Joy Sahagun.

Grade 12: Pilahi Arce, Alexandria Bali, Charmaine Dilla, Branden Emia, Lamertcia Gorsich, Alisha Gramberg, Sheira-Lilia Hirashima, Kevin Kaahanui, Marcia Kekino, William Makaena, Deidre Manaba-Hackett, Justine Naeole, Nanasha Naki, Christyn Neuhart, Laulani Puailihau, Talive Siufanua, Selega Suafoa, Remington-Josh Villa.

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• NOTICE OF PUBLIC HEARING • MOLOKAI PLANNING COMMISSION

The Molokai Planning Commission for the County of Maui hereby gives notice that it will conduct a hearing on February 9, 2005, commencing at 1:00 p.m., or as soon thereafter as is practicable in the Meeting Hall, Mitchell Pauole Center, Kaunakakai, Molokai, on the following:

COUNTY SPECIAL USE PERMIT

1. MS. VICTORIA NEWBERRY of AKAULA SCHOOL requesting a County Special Use Permit in order to operate the Akaula Middle School in the B-CT Country Town Business District at 15 Kaunakakai Place, TMK: 5-3-001: 077, Kaunakakai, Island of Molokai. (CUP 2004/0003)

The subject public hearing will be conducted in accordance with the Hawaii Revised Statutes, the Maui County Code, and the Rules of the Molokai Planning Commission. Information pertaining to the subject application are on file at the Maui County Department of Planning, 250 South High Street, Wailuku, Maui, the Office of the County Administrator, Mitchell Pauole Center, Kaunakakai, Molokai, and the Molokai Public Library, Kaunakakai, Molokai.

All testimony regarding the subject application may be filed prior to the date of the hearing by providing 15 copies of said written testimony to the Department of Planning or may be presented at the time of the hearing.

Those interested persons requesting accommodation due to disabilities, please call the Department of Planning at 270-7735 or 1-800-272-0117 (Molokai) or 1-800-272-0125 (Lanai) or notify the Maui County Department of Planning in writing at 250 S. High Street, Wailuku, Maui, Hawaii 96793 at least six (6) days before the scheduled meeting.

MOLOKAI PLANNING COMMISSION

by Michael W. Foley
Planning Director

Publish in: Maui News - January 7, 2005

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