

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

IN THE MATTER OF:	)	MC 09-00114 HG-LEK
	)	
FOR JUDICIAL NOTICE IN RE:	)	
CASE MAG NO. 09-00253, OTHERS	)	
	)	
	)	
	)	
	)	
	)	
	)	

---

**FINDINGS AND RECOMMENDATION TO DISMISS PETITION**

On April 22, 2009, the district court received a document from Lehua Hoy titled "For Judicial Notice in Re: Mag. No. 09-00253, others." The Court construes this document as a petition for relief ("Petition"). The Petition transmitted the following documents:

. . . Certification by the Registrar for the Royal Repository & Registry of ko Hawaii pae aina.

Affidavits of Truth in Support of the Hawaiiiloa Foundation in original jurisdiction of ko Hawaii pae aina.

[Ms. Hoy's] demand for the return of the kokua gifts that [she] volunteered.

[Petition at 1.] Ms. Hoy alleges that her private property was stolen by the "State of Hawaii, Inc and the United States agents." [Id.]

On May 19, 2009, Respondent United States of America ("the Government") filed its Response to Objections and Motions for Return of Property Filed by John Oliver, Petro Hoy, Lehua

Hoy, Piliialoha Teves, and Mahealani Ventura-Oliver ("Response").

Ms. Hoy did have personal property seized by federal agents pursuant to search warrants. [Response, Exh. E.] Her requests to unseal the applications and affidavits for the search warrants and her requests for the return of the seized property are addressed in another case, MC 09-00101 JMS-BMK. Thus, to the extent that Ms. Hoy seeks the same relief in the instant case as in MC 09-00101 JMS-BMK, this Court construes the documents as additional evidence in support of the petitions in MC 09-00101 JMS-BMK. This Court considered the documents in connection with its findings and recommendation issued in MC 09-00101 JMS-BMK. This Court therefore FINDS that Ms. Hoy's requests for relief in the instant Petition should be DISMISSED.

The Certification by the Registrar ("Certification"), however, was accompanied by an affidavit by Ms. Hoy, as well as affidavits by over forty other individuals ("Affiants"). The Affiants also allege that their personal property was wrongfully seized. Even if the instant Petition was also an attempt to seek relief on behalf of the Affiants, this Court cannot address those requests because there is no evidence that Ms. Hoy is an attorney who is authorized to practice before the district court. Although Ms. Hoy may represent herself pro se, she cannot file pleadings, motions, or any other documents on behalf of the Affiants. See Local Rule LR83.2 ("Only a member of the bar of

this court or any attorney otherwise authorized by these rules to practice before this court may enter an appearance for a party, sign stipulations or receive payment or enter satisfaction of judgment, decree or order." ). This Court therefore FINDS that the Petition's request for relief on behalf of the Affiants must be DISMISSED.

If the Affiants which to seek relief related to the alleged improper seizure of their property, this Court DIRECTS them to file separate actions seeking such relief. In filing such action, each Affiant must either: 1) be represented by an attorney who is authorized to practice in this district court; or 2) represent himself or herself pro se.

**CONCLUSION**

On the basis of the foregoing, this Court HEREBY FINDS and RECOMMENDS that Petitioner Lehua Hoy's Petition, filed April 22, 2009, be DISMISSED.

**IT IS SO FOUND AND RECOMMENDED.**

DATED AT HONOLULU, HAWAII, June 19, 2009.



/S/ Leslie E. Kobayashi  
Leslie E. Kobayashi  
United States Magistrate Judge

**IN THE MATTER OF: FOR JUDICIAL NOTICE IN RE: CASE MAG NO. 09-00253, OTHERS; MC 09-00114 HG-LEK; FINDINGS AND RECOMMENDATION TO DISMISS PETITION**