

Electronically Filed
Supreme Court
SCOT-16-0000804
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SCOT-16-0000804

IN THE SUPREME COURT OF THE STATE OF HAWAII

FRANK KAMEHAMEHA TAMEHALOHA ANUUMEALANI NOBRIGA,
in his capacity as Kahuna of the Temple of Lono, Pro Se,
and LANNY ALAN SINKIN, in his capacity as Kahuna
of the Temple of Lono, Pro Se, Petitioners-Appellants,

vs.

BOARD OF LAND AND NATURAL RESOURCES, STATE OF HAWAII;
DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAII;
SUZANNE CASE, in her official capacity as Chair
of the Board of Land and Natural Resources and
Director of the Department of Land and Natural Resources;
and UNIVERSITY OF HAWAII AT HILO, Respondents-Appellees,

and

MAUNA KEA ANAINA HOU and KEALOHA PISCIOTTA;
CLARENCE KUKAUAHAHI CHING; FLORES-CASE 'OHANA; DEBORAH J. WARD;
PAUL K. NEVES; and KAHEA: THE HAWAIIAN ENVIRONMENTAL ALLIANCE, a
domestic non-profit corporation; TMT INTERNATIONAL OBSERVATORY,
LLC; HARRY FERGERSTROM; MEHANA KIHAI; C.M. KAHOKAHI KANUHA;
JOSEPH KUALI'I LINDSEY CAMARA; J. LEINA'ALA SLEIGHTHOLM;
MAELANI LEE; THE TEMPLE OF LONO; KALIKOLEHUA KANAELE;
PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.;
STEPHANIE-MALIA TABBADA; TIFFNIE KAKALIA; GLEN KILA;
DWIGHT J. VICENTE; BRANNON KAMAHANA KEALOHA;
CINDY FREITAS, AND WILLIAM FREITAS, Intervenors-Appellees.

APPEAL FROM THE BOARD OF LAND AND NATURAL RESOURCES
(BLNR-CC-16-002 (Agency Appeal))

ORDER DISMISSING APPEAL FOR LACK OF APPELLATE JURISDICTION
(By: Recktenwald, C.J., McKenna, Pollack, and Wilson, JJ., and
Circuit Judge Nishimura, in place of Nakayama, J., recused)

Upon consideration of (1) respondent-appellee Board of
Land and Natural Resources, State of Hawai'i's ("BLNR") motion to

dismiss appeal for lack of appellate jurisdiction, filed on November 16, 2016, (2) respondent-appellee University of Hawai'i at Hilo's ("UH Hilo") motion to dismiss appeal of lack of appellate jurisdiction, filed on November 21, 2016, (3) petitioners-appellants Frank Kamehameha Temehaloa Anuumealani Nobriga and Lanny Alan Sinkin's opposition to the BLNR's motion to dismiss, filed on November 23, 2016, (4) petitioners-appellants Frank Kamehameha Temehaloa Anuumealani Nobriga and Lanny Alan Sinkin's opposition to UH Hilo's motion to dismiss, filed on November 29, 2016, (5) intervenor-appellee TMT International Observatory, LLC's joinder to UH Hilo's motion to dismiss, (6) the respective supporting documents, and (7) the record herein, it appears that this court lacks jurisdiction over the appeal. Accordingly,

IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction. As this court does not have jurisdiction over the appeal, all other requests for relief are dismissed.¹

DATED: Honolulu, Hawai'i, December 20, 2016.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

/s/ Rhonda A. Nishimura



¹ This court also notes that an unlicensed individual may not defend the interests of other entities or persons. See HRS § 605-2 ("No person shall be allowed to practice in any court of the State unless that person has been duly licensed so to do by the supreme court[.]"); HRS § 605-14 ("It shall be unlawful for any person . . . to engage in or attempt to engage in or to offer to engage in the practice of law, or to do or attempt to do or offer to do any act constituting the practice of law, except and to the extent that the person . . . is licensed or authorized to do so[.]"); Oahu Plumbing & Sheet Metal, Ltd. v. Kona Constr., Inc., 60 Haw. 372, 374-77, 590 P.2d 570, 572-74 (1979) (only licensed attorneys may represent corporations and other individuals).