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 Pro Se

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FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
OCT 17 2003	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

UNITED STATES OF AMERICA )	CR. S-01-318 (DAE (RJJ)
)	CR. S-00-00482 HG
Plaintiff, )	
)	APPEARANCE WITH ASSISTANCE OF
vs. )	COUNSEL AND REQUEST FOR RECUSAL OF
)	JUDGE DAVID A. EZRA; DECLARATION OF
LOKELANI LINDSEY )	LOKELANI LINDSEY; EXHIBITS "1" - "4";
)	AFFIDAVIT OF LOKELANI LINDSEY;
Defendant. )	CERTIFICATE OF SERVICE
)	

APPEARANCE WITH ASSISTANCE OF COUNSEL AND REQUEST FOR RECUSAL OF  
 JUDGE DAVID A. EZRA

COMES NOW, LOKELANI LINDSEY, and appears pro se with assistance of the  
 counsel named above. LOKELANI LINDSEY makes this appears for reasons included in her  
 Declaration with its Exhibits "1" - "4" attached, and attached Affidavit of Lokelani Lindsey, and  
 for those reasons requests that Judge David A. Ezra recuse himself in this case.

134

Lindsey-Motion-Recuse-Ezra.pdf

DATED: Honolulu, Hawaii, September 16, 2003.

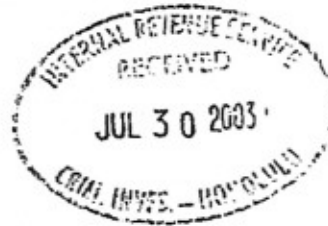
*Lokelani Lindsey*

Lokelani Lindsey, pro se

Lokelani Lindsey  
Individually and Founder of  
Hawaii Active Whistleblowers Association International, Inc. ("HAWAII")  
P.O. Box 234  
Kaaawa, Hawaii 96738  
Telephone: (808) 293-5086  
Social Security Number (redacted for non-IRS use)

July 29, 2003

Dwight Sparlin  
Special Agent in Charge  
Criminal Investigation Division  
Internal Revenue Service  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850



Re: 1040 X for calendar years 1999, 2000 and 2001

Aloha,

Enclosed are my 1040 X returns for calendar years 199, 2000 and 2001. Attached to each one is a copy of my Affidavit (I'll be filing the original in a court case) which explains my position, and includes my admission to felonies to join those tax and other crimes which were not prosecuted for whatever reasons. I have been in a federal Grand Jury, so I am aware that you have the power and authority to take my material to the federal Grand Juries in Hawaii, either directly or through a request to the U.S. Attorney. This is now a direct request to do so. I am aware that the federal Grand Juries could receive my information without you or your office since that is what the U.S. Constitution allows.

I will immediately invite the public to join me, especially the Hawaiian community, and if need be also the entire prison population (especially Hawaiian prisoners). I am sure that the community also has even more hard evidence that will be merged with mine through the HAWAII Foundation. I just hope that the federal Grand Juries get my admission, and that no one in your Division or in the U.S. Attorney's office or in the Court, block this legitimate request.

I do not authorize the Examination Division to have any power or authority or jurisdiction over or related to these returns.

Sincerely,

  
Lokelani Lindsey

cc with copy of Affidavit: Rebecca McKenzie-Young  
Others

See separate instructions.

This return is for calendar year **2003** or fiscal year ended **12/31/03**

Your first name and initial: **MARION LOKELANI**  
 Last name: **LINDSEY dba HAWAII FOUNDATION**  
 Your social security number: **XXXXXXXXXX**

If a joint return, spouse's first name and initial: **HAWAII ACTIVE WHISTLEBLOWERS ASSOCIATION INTERNATIONAL INC**  
 Last name: **INC**  
 Spouse's social security number: **XXXXXXXXXX**

Home address (no. and street) or P.O. box if mail is not delivered to your home: **PO BOX 234**  
 Apt. no.: **( )**  
 Pt.: **( )**

City, town or post office, state, and ZIP code, if you have a foreign address, see page 2 of the instructions: **KAAAWA, HI 96730**

For Paperwork Reduction Act Notice, see page 6.

- A If the name or address shown above is different from that shown on the original return, check here
- B Has the original return been changed or audited by the IRS or have you been notified that it will be?  Yes  No
- C Filing status. Be sure to complete this line. Note. You cannot change from joint to separate returns after the due date.
- On original return  Single  Married filing jointly  Married filing separately  Head of household  Qualifying widow(er)
- On this return  Single  Married filing jointly  Married filing separately  Head of household  Qualifying widow(er)
- \* If the qualifying person is a child but not your dependent, see page 2.

Use Part II on the back to explain any changes		A. Original amount or as previously adjusted (see page 2)	B. Net change—amount of increase or (decrease)—explain in Part II	C. Correct amount
<b>Income and Deductions (see pages 2-6)</b>				
1	Adjusted gross income (see page 3)			
2	Itemized deductions or standard deduction (see page 3)			
3	Subtract line 2 from line 1			
4	Exemptions. If changing, fill in Parts I and II on the back			
5	Taxable income. Subtract line 4 from line 3			
<b>Tax Liability</b>				
6	Tax (see page 4). Method used in col. C			
7	Credits (see page 4)			
8	Subtract line 7 from line 6. Enter the result but not less than zero			
9	Other taxes (see page 4)			
10	Total tax. Add lines 8 and 9			
<b>Payments</b>				
11	Federal income tax withheld and excess social security and tier 1 RRTA tax withheld. If changing, see page 4			
12	Estimated tax payments, including amount applied from prior year's return			
13	Earned income credit (EIC)			
14	Additional child tax credit from Form 8812			
15	Credits from Form 2439, Form 4136, or Form 8885			
16	Amount paid with request for extension of time to file (see page 4)			16
17	Amount of tax paid with original return plus additional tax paid after it was filed			17
18	Total payments. Add lines 11 through 17 in column C			18
<b>Refund or Amount You Owe</b>				
19	Overpayment. If any, as shown on original return or as previously adjusted by the IRS			19
20	Subtract line 19 from line 18 (see page 5)			20
21	Amount you owe. If line 10, column C, is more than line 20, enter the difference and see page 5			21
22	If line 10, column C, is less than line 20, enter the difference			22
23	Amount of line 22 you want refunded to you			23
24	Amount of line 22 you want applied to your estimated tax	24		

**Sign Here**  
 Under penalties of perjury, I declare that I have filed an original return and that I have examined this amended return, including accompanying schedules and statements, and to the best of my knowledge and belief, this amended return is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which the preparer has any knowledge.

Marion Lokelani Lindsey, HAWAII 9-16-03  
 Your signature Date  
 Spouse's signature: If a joint return, both must sign. Date

**Paid Preparer's Use Only**  
 Preparer's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Check if self-employed  Preparer's SSN or PTIN: \_\_\_\_\_  
 Firm's name (or yours if self-employed), address, and ZIP code: \_\_\_\_\_ EIN: \_\_\_\_\_  
 Phone no.: \_\_\_\_\_

AFFIDAVIT OF LOKELANI LINDSEY

I, LOKELANI LINDSEY, hereby declare and aver under oath the following:

I am concerned about people in authority attacking me and setting me up, more so than in the past; and especially for the life, health and safety of myself, my family, my friends, my associates, and my property and their property. I hold responsible Leslie Osborne, Michael Seabright, Thomas Stevens, and Rebecca McKenzie-Young, as the insurer of my and their life, health and safety. I do this because:

1. I have insider knowledge of Bishop Estate corruption and cover up of same.
2. I have insider knowledge of corrupt attempts to seize control over the Bishop Estate.
3. I have insider knowledge of further attempts to or acts of abuse of Hawaiians.
4. I have insider knowledge of grand jury tampering in Hawaii.
5. I have insider knowledge of other political and financial corruption in this state, and the targeting of people and groups related thereto.

On behalf of the Hawaii active Whistleblowers Association International, Inc., aka HAWAII, I am here to defend Hawaiians and do encourage all Hawaiians to bring their evidence of abuse and cover up to me so that I can bring that and the above to the Grand Juries here and/or elsewhere.

The HAWAII Foundation is diligently seeking anyone in Hawaii to better take the alleged crimes and cover-ups in Hawaii to the various Grand Juries for their determination as to probable cause for such matters. (See Fifth Amendment of the U.S. Constitution.)

The abuses against Hawaiians has been and is race based, (see Rice v. Cayetano) and thus civil genocide. These abuses are on a long, continuous conspiracy to steal the birthright and heritage, assets and rights of Hawaiians. The Internal Revenue Service, State of Hawaii and the Bishop Estate are mere Guardians for their Wards, the Hawaiians. The Guardianship must be broken and the Hawaiians freed from assaults similar to those perpetrated by Nazi Germany as revealed in the post World War II Nuremberg trials. The Trust was never broken, especially NOT by me. The Guardianship over the Hawaiian Wards continues, except that now the current Trustees and quasi-trustees (Internal Revenue Service and Hawaii Attorney General) have greatly enhanced the effective stripping of assets and rights from the Hawaiians. I was a Guardian and now I am merely a Hawaiian Ward of these abusive overlords who perpetuate the race based subjugation of the Hawaiians.

Bernice Pauahi Bishop intended for the trust she established to be governed for the purpose of preserving the Hawaiians their assets and heritage in perpetuity. However, the felonies which have been and are being committed in the wholesale attacks on the Bishop Estate are for another goal. The true goal of the current overlords is to put the Bishop

Estate and other Hawaiian (such as OHA) assets into the General Fund of the State of Hawaii (and related destinations), and also let the State of Hawaii and the United States just keep the assets of the Hawaiians in trust under their jurisdiction.

If I go to prison, I will have an opportunity for many prisoners to join the Foundation and me in our march to the Grand Juries here and into many states.

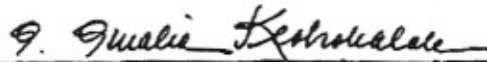
I was arrested to block me from taking to the Grand Jury the evidence that I and others have of serious abuses in the Bishop Estate, abuses against the Hawaiians, and especially against the Hawaiian children. Among others we are especially looking for additional alleged indicting evidence against those which include Jack Borja, Rebecca McKenzie-Young, Leslie Osborne, Mike Chun, Oswald Stender, Randy Roth, Judge David Ezra (and his being counsel for Bank of Hawaii), and Ed Case, who all have alleged long histories of such abuses. The Grand Juries are the only appropriate Court to review these and related matters.

Although claimed by such parties to be a minor matter, the recent Bishop Estate loss of about \$2 billion and sale of assets to cover up the losses, will also be reviewed by Grand Juries. The matter of thefts from the Kamehameha Schools and Heritage Center of artifacts and other precious items will also be reviewed.

I have evidence and am seeking more regarding the Grand Juries in Hawaii and number of ways abused. I am a victim of such abuse. I confess to any crimes which the United States has not or will not otherwise prosecute.

I have been threatened with harm to myself, my family and friends, our lives, health and property, and am very worried these threats will be further carried out, including potentially by one or more of those people named above, directly or through others. A copy of this is being sent to my Las Vegas attorney, Judge David Ezra, the two prosecutors named above, and as appropriate.

Subscribed and sworn to before me  
this 30<sup>th</sup> day of July, 2003.



Notary Public, State of Hawaii.

Printed name of notary: *E. Emalia Keohokalole*

My commission expires: *June 16, 2005*

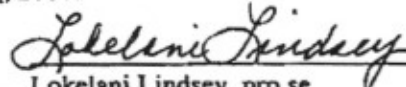
CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was duly served on the following by hand delivery:

J. MICHAEL SEABRIGHT, ESQ.  
LESLIE E. OSBORNE, JR., ESQ.  
Room 600  
PJKK Federal Building  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850

Reinstated Kingdom of Hawaii  
Donna Hanohano-Medeiros  
P.O. Box 451  
Lawai, Kauai, Hawaii 96765

DATED: Honolulu, Hawaii, October 2, 2003.

  
Lokelani Lindsey, pro se

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