

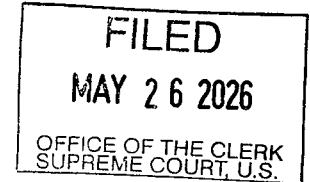
26-5355

No. _____

(Ninth Circuit No. 26-3298)

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 2026



DE MONT KALAI MANAOLE,
Petitioner,

v.

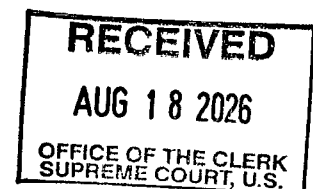
OFFICE OF HAWAIIAN AFFAIRS; DEPARTMENT OF HAWAIIAN HOME
LANDS; HAWAIIAN HOMES COMMISSION; STATE OF HAWAII; HAWAII
COMMUNITY DEVELOPMENT AUTHORITY; DEPARTMENT OF LAND AND
NATURAL RESOURCES; BOARD OF WATER SUPPLY, CITY AND COUNTY OF
HONOLULU; and UNITED STATES DEPARTMENT OF THE NAVY,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT TO THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner De MONT Kalai Manaole, appearing pro se, respectfully moves this Court, pursuant to Rule 39 of the Rules of this Court and 28 U.S.C. § 1915, for leave to proceed in forma pauperis on his accompanying Petition for a Writ of Certiorari Before Judgment.

1. In support of this motion, and as required by Rule 39.1, petitioner's declaration — executed under penalty of perjury in compliance with 28 U.S.C. § 1746 and in the form prescribed by Form 4 of the Appendix of Forms to the Federal Rules of Appellate Procedure — accompanies this motion, showing petitioner's inability to pay the docket fee of this Court or to pay the costs of printing the petition in booklet format under Rule 33.1.



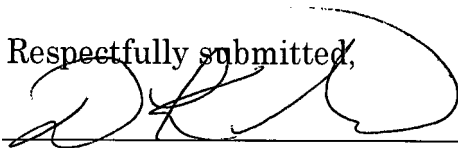
2. As required by Rule 39.1, petitioner states that leave to proceed in forma pauperis was not sought in any other court in this case. The filing fees in the courts below were paid, and no court below appointed counsel for petitioner.

3. Petitioner's co-plaintiffs in the district court and co-appellants in the Ninth Circuit, Regina N. Peterson and Dana Newman, do not join the Petition or this motion. As set forth in the note to the Petition's list of Parties to the Proceeding, they continue to support this civil action and the relief sought without reservation; because of their inability to pay the docket fee of this Court, and in view of their position identifying themselves as Sovereign Nationals of the Kingdom of Hawai'i, they are unable to complete the in forma pauperis application prescribed by Rule 39 and Form 4, and for that reason alone do not appear as petitioners.

4. Pursuant to Rules 39.2 and 12.2, petitioner submits herewith an original and ten copies of this motion and of the accompanying declaration, a copy of which precedes and is attached to each copy of the Petition, which is prepared in the format prescribed by Rule 33.2.

WHEREFORE, petitioner respectfully requests that this motion be granted and that the accompanying Petition for a Writ of Certiorari Before Judgment be docketed without payment of a docket fee, pursuant to Rule 39.4.

Respectfully submitted,



De MONT Kalai Manaole, Petitioner, Pro Se
86-044 Hoaha St., Wai`anae, HI 96792
(808) 726-5753 • demontconner@gmail.com

Dated: August 6, 2026

No. _____
(Ninth Circuit No. 26-3298)

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 2026

DE MONT KALAI MANAOLE,
Petitioner,

v.

OFFICE OF HAWAIIAN AFFAIRS; DEPARTMENT OF HAWAIIAN HOME
LANDS; HAWAIIAN HOMES COMMISSION; STATE OF HAWAII; HAWAII
COMMUNITY DEVELOPMENT AUTHORITY; DEPARTMENT OF LAND AND
NATURAL RESOURCES; BOARD OF WATER SUPPLY, CITY AND COUNTY OF
HONOLULU; and UNITED STATES DEPARTMENT OF THE NAVY,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT TO THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

**DECLARATION OF DE MONT KALAI MANAOLE IN SUPPORT OF
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

(In the form prescribed by Fed. R. App. P. Form 4; 28 U.S.C. § 1746; Sup. Ct. R. 39.1)

I, De MONT Kalai Manaole, am the petitioner in the above-entitled case. In support of the motion to proceed in forma pauperis, I state that because of my poverty I cannot prepay the docket fees of my petition or pay the costs of printing the petition in booklet format, and I believe I am entitled to redress.

My issues on review are as stated in the accompanying Petition for a Writ of Certiorari Before Judgment.

Note: Entries marked [FILL IN] must be completed by hand before signing. Do not leave any blanks: if the answer is "0," "none," or "not applicable (N/A)," write that response.

1. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source — Average monthly amount during the past 12 months (You / Spouse) — Amount expected next month (You / Spouse):

Employment: \$0 / \$0 — \$0 / \$0

Self-employment: \$0 / \$1,413.57 — \$0 / \$1,413.00

(Spouse: average monthly gross receipts of her sole-proprietor business, "Kānaka Okazuya," for the past 12 months — \$16,962.89 total ÷ 12 — as recorded in her Square account. She receives no fixed salary; declarant takes no salary or draw from the business.)

Income from real property (such as rental income): \$0 / \$0 — \$0 / \$0

Interest and dividends: \$0 / \$0 — \$0 / \$0

Gifts: \$0 / \$0 — \$0 / \$0

Alimony: \$0 / \$0 — \$0 / \$0

Child support: \$0 / \$0 — \$0 / \$0

Retirement (such as social security, pensions, annuities, insurance): \$0 / \$0 — \$0 / \$0

Disability (such as social security, insurance payments): \$0 / \$0 — \$0 / \$0

Unemployment payments: \$0 / \$0 — \$0 / \$0

Public-assistance (such as welfare): \$0 / \$706.00 (SNAP benefits) — \$0 / \$706.00

Other (specify): \$0 / \$0 — \$0 / \$0

TOTAL monthly income: \$0 / \$2,119.57 — \$0 / \$2,119.00

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer: *Kānaka Okazuya* — unpaid work in spouse's sole-proprietor food business

Address: 86-044 Hoaha St., Wai'anae, HI 96792 (home-based)

Dates of employment: March 2020 – present

Gross monthly pay: \$0 (no salary or draw taken)

No other employment during the past two years.

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer: Self-employed — sole owner and operator of "Kānaka Okazuya" (since December 2019)

Address: 86-044 Hoaha St., Wai'anae, HI 96792 (home-based)

Dates of employment: December 2019 – present

Gross monthly pay: \$1,413.57 (average gross receipts for the past 12 months, per Square account records; no fixed salary)

No other employment during the past two years.

4. How much cash do you and your spouse have? \$31.59. Below, state any money you or your spouse have in bank accounts or in any other financial institution. (Financial institution / Type of account / Amount you have / Amount your spouse has) — write “None” if none:

\$2.81 Hawaii State Federal Credit Union HiFlex Account &
\$28.78 Hawaii State Federal Credit Union Business Account

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home: **None**

Other real estate: **None**

Motor vehicle #1: Ford F-250 truck — Year: 2019; Estimated value: \$18k – 21k

Motor vehicle #2: **None**

Other assets: **None**

6. State every person, business, or organization owing you or your spouse money, and the amount owed. (Person owing money / Amount owed to you / Amount owed to your spouse):

None

7. State the persons who rely on you or your spouse for support; state relationship and age.

None

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

Rent or home-mortgage payment: \$1,200/month

Utilities (electricity, heating fuel, water, sewer, telephone): \$50/month

Home maintenance (repairs and upkeep): \$0/month

Food: \$0/month (household food needs are met substantially through SNAP benefits of \$706/month);

Clothing: \$0/month

Laundry and dry-cleaning: \$25/month

Medical and dental expenses: \$/month

Transportation (gas and upkeep for Ford F-250 truck; not including vehicle payments): \$200/month

Recreation, entertainment, newspapers, magazines, etc.: \$0/month

Insurance (homeowner's or renter's, life, health, motor vehicle, other):

\$131.83/month

Taxes (not deducted from wages or included in mortgage payments): \$0/month

Installment payments (motor vehicle, credit card, department store, other):

\$0/month

Alimony, maintenance, and support paid to others: \$0/month

Regular expenses for operation of business (*Kānaka Okazuya* supplies and costs): \$250 - \$300/month

Other — storage space rental: \$198/month

Other (specify): N/A

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? If yes, describe.

None expected.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? If yes, how much?

No attorney fees — petitioner proceeds pro se. Out-of-pocket costs for copying, printing, and postage in this litigation to date: approximately \$0

11. Provide any other information that will help explain why you cannot pay the docket fees for your petition.

The household's entire income consists of the gross receipts of my wife's small sole-proprietor food business, *Kānaka Okazuya*, and her SNAP benefits of \$706 per month. All business receipts are consumed entirely by business operating costs and basic living expenses — including fuel for our truck and storage-space rental — and I draw no salary or pay of any kind. The SNAP benefits are what allow our household not to go hungry. We have no savings from which to pay the \$300 docket fee, and the cost of printing forty booklet-format copies of the petition and appendix under Rules 33.1 and 12.1 is far beyond our means. My wife's Square account records substantiating the business-income figures stated above are available to the Court upon request.

12. State the city and state of your legal residence.

Waiʻanae, Hawaiʻi (86-044 Hoaha St., Waiʻanae, HI 96792)

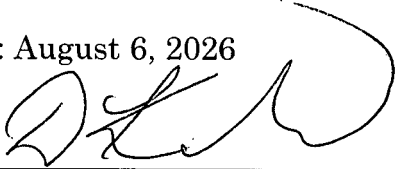
Your daytime phone number: (808) 726-5753

Your age: 62 (Today!)

Your years of schooling: 12+ Some College

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed pursuant to 28 U.S.C. § 1746.

Dated: August 6, 2026

A handwritten signature in black ink, appearing to read 'De MONT Kalai Manaole', written over a horizontal line.

De MONT Kalai Manaole, Petitioner, Pro Se