

**PETITION FOR EX PARTE TEMPORARY RESTRAINING ORDER AND FOR INJUNCTION AGAINST HARASSMENT; DECLARATION OF PETITIONER; TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT; AND NOTICE OF HEARING**

**FILED**  
**DISTRICT COURT OF THE FIRST CIRCUIT**

TWO-SIDED FORM, page 1 of 3  
 Form #1DC51

2018 APR 12 P 12:58

IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
 STATE OF HAWAII

LEGAL DOCUMENTS  
 CLERK J. HAUSLER

Petitioner(s)  
  
 ANDRIA TUPOLA

Reserved for Civil No. **1SS18 1 00441**

Respondent(s) (if known, list Address, Telephone for each respondent)  
  
 ERIC RYAN  


Petitioner(s)/Petitioner(s)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)  
  
 ANDRIA TUPOLA  
 415 S. BERETANIA ST  
 HONOLULU, HI 96813

**PETITION FOR EX PARTE TEMPORARY RESTRAINING ORDER AND FOR INJUNCTION AGAINST HARASSMENT**

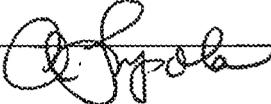
This Petition is made pursuant to Hawai'i Revised Statutes section §604-105 and the following statement:

1. The Petitioner(s) is a resident(s) of the Division of the above District and Circuit, State of Hawai'i.
2. Based upon the attached Declaration of Petitioner(s), Petitioner(s) seeks for:
  - a. An ex parte temporary restraining order not to exceed a period of ninety (90) days for protection enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from:
    - contacting, threatening, or physically harassing *verbally*
    - Petitioner(s)  Any person(s) residing at Petitioner(s)' residence
    - telephoning the Petitioner(s)
    - entering or visiting Petitioner(s)'  residence, including yard and garage and  place of employment.
  - b. An order of an Injunction not to exceed a period of three (3) years, enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from committing those acts set forth in paragraph 2a. hereof.
  - c. An order prohibiting Respondent(s) from owning or possessing firearm(s) and/or ammunition.
  - d. An order awarding reasonable attorney's fees and costs to Petitioner(s) and such further relief as the Court deems just and appropriate.

DENIED

RECEIVED  
 DISTRICT COURT OF THE FIRST CIRCUIT  
 2018 APR 10 P 3:25

(continued on reverse side)

Date: **4.9.18** Signature of Petitioner(s):   
 Print/Type Name(s): **ANDRIA TUPOLA**

TRO 3XX (Effective 7/1/2001)  
 IO-P-803 (10/03)  
 RGD(01/11)

SEE REVERSE SIDE

I certify that this is a full, true, and correct copy of the original on file in this office.  
 \_\_\_\_\_  
 Clerk, District Court of the above Circuit, State of Hawai'i

DECLARATION OF PETITIONER(S)

Petitioner states the following is true:

- Recent or past act(s) of harassment occurred; and/or
  - Threats of harassment make it probable that acts of harassment may occur soon.
- Respondent(s)  own;  possess; or  intend to obtain or possess
- firearm(s) and/or ammunition that may be used to threaten or injure Petitioner(s).
- Describe the firearm(s)/ammunition: \_\_\_\_\_
- Location of the firearm(s)/ammunition: \_\_\_\_\_
- Date last seen: \_\_\_\_\_
- Street address/ specific location where last seen: \_\_\_\_\_

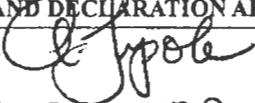
(Explain in detail recent or past acts or threats of harassment, using additional sheets, if necessary.)

PLEASE SEE ATTACHED

- Unless Respondent(s)' wrongful conduct is stopped or prevented by order of the Court, Petitioner(s) will suffer substantial emotional distress.

I have read the Petition and Declaration, know their contents, and verify that the statements contained therein are true to my personal knowledge and belief.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FACTS AND CIRCUMSTANCES STATED IN THE PETITION AND DECLARATION ARE TRUE AND CORRECT.

Date: 4.9.18	Signature of Petitioner(s):  Print/Type Name(s): ANDRIA TUPOU
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April 9, 2018

Re: Temporary Restraining Order

Fr: Andria Tupola

To Whom It May Concern,

I am requesting a temporary restraining order against Eric Ryan. I have been verbally abused and cyberbullied by him for over a year. It is common for a public official to have people who disagree with his/her stances. However, the emails and social media posts are often using my face and name and connecting me to issues, bills, or decisions that are distantly related to me or not at all. They are incessant and the comments made by trolls, his other social media profiles, and individuals have included death threats. "We should kill people like this" and "Throw that Bitch into the Ocean," and "hang her" were just a few of the death threats he stirred.

He uses verbal abuse, hate speech, cyberbullying, harassment and libel. It has affected my family and thousands of others because he ran it as a paid advertisement. On April 5th he created an advertisement that I supported a sanctuary state bill. We had a bill regarding making Hawaii a Sanctuary State (HB 1994) on February 16, 2018 and I voted "no." He ran the post as an advertisement which reached thousands of people and enraged members of the community. He combined that bill with another one from two years ago regarding limited purpose driver's licenses that are for people who have legally come here but for one reason or another are undocumented. This post ran at 11:31am. Then a similar post at 8:07pm. Then a third one at 12:47 am the next morning on April 6th. On April 6th there was a gubernatorial forum and he showed up that next morning at the forum.

His multiple attacks in the thousands the night before the forum literally felt like I got raped over and over again. I had friends and family messaging and calling me asking that it stop. We reported it to Facebook and will be pursuing legal action. However, his physical presence at my forum the following morning made very aware that his verbal abuse online via social media and email will be followed by stalking in the public and concern for my safety. Please see attached.

#### Definitions

1 - Verbal abuse (verbal attack or verbal assault) is when a person forcefully criticizes, insults, or denounces someone else. Characterized by underlying anger and hostility, it is a destructive form of communication intended to harm the self-concept of the other person and produce negative emotions. Verbal abuse is a maladaptive mechanism that anyone can display occasionally, such as during times of high stress or physical discomfort. For some people, it is a pattern of behaviors used intentionally to control or manipulate others or to get revenge. Despite

the fact that verbal abuse does not leave bruising, verbal abuse can be as detrimental to a person's health as physical abuse.

2 - Cyberbullying - the act of harassing someone online by sending or posting mean messages, usually anonymously

3 - Hate Speech - speech that attacks, threatens, or insults a person or group on the basis of national origin, ethnicity, color, religion, gender, gender identity, sexual orientation, or disability.

4 - Libel - defamation by written or printed words, pictures, or in any form other than by spoken words or gestures. The act or crime of publishing it. Anything that is defamatory or that maliciously or damagingly misrepresents.

5 - Harassment - the act of systematic and/or continued unwanted and annoying actions of one party or a group, including threats and demands. The purposes may vary, including racial prejudice, personal malice, an attempt to force someone to quit a job or grant sexual favors, apply illegal pressure to collect a bill, or merely gain sadistic pleasure from making someone fearful or anxious.

**TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT**

Based upon the attached Petition for Ex Parte Temporary Restraining Order and Declaration of Petitioner(s) and pursuant to Hawai'i Revised Statutes §604-10.5, the Court finds there is probable cause to believe:

- Recent or past acts of harassment by Respondent(s) have occurred.
- Threats of harassment by Respondent(s) make it probable that acts of harassment may be imminent against Petitioner(s).

It appears to the Court that a Temporary Restraining Order should be granted and is necessary to prevent acts of harassment. Accordingly, IT IS ORDERED that Respondent(s) shall appear before the Judge in the above-entitled proceeding at the date, time and place indicated in the Notice of Hearing below. Pending the hearing on this Petition, Respondent(s) is/are ordered as follows.

**TO THE RESPONDENT:**

**YOU AND ANYONE ACTING ON YOUR BEHALF ARE ORDERED AS FOLLOWS:**

- Do not contact, threaten, or physically harass Petitioner(s) and  any person(s) residing at Petitioner(s)' residence
- Do not telephone Petitioner(s)
- Do not enter or visit Petitioner(s)'  residence, including yard and garage, and  place of employment.
- Pursuant to HAWAII REVISED STATUTES §134-7, you shall not possess or control any firearm(s) and/or ammunition for the duration of this Temporary Restraining Order.
- You shall immediately turn over for safekeeping all firearms and/or ammunition in your possession and control to the Honolulu Police Department (Firearms Unit, Main Station, 801 So. Beretania Street, 1st Floor, Honolulu Hawai'i 96813), for the duration of this Order or any extensions thereof.

This Order becomes effective upon its signing and filing and shall remain in effect for fifteen (15) days, unless extended or terminated by the Court.

ANY KNOWING OR INTENTIONAL VIOLATION OF THIS TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT IS A MISDEMEANOR PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR AND/OR UP TO A \$2,000 FINE. A SENTENCE OF 48 HOURS JAIL FOR A SECOND CONVICTION AND 30 DAYS JAIL FOR ANY SUBSEQUENT CONVICTION(S) IS MANDATORY. [HAWAII REVISED STATUTES §604-10.5, §796-663 AND §706-540].

Date: <b>APR 12 2018</b>	DENIED-Harrasment as defined by HRS§604-10.5 is not sufficiently alleged. Judge of the above-entitled Court	
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**NOTICE OF HEARING**

TO: ERIC RYAN [REDACTED]

NOTICE IS GIVEN that the Petitioner(s) above named has/have filed the foregoing Petition for Ex Parte Temporary Restraining Order and for injunction Against: Harassment.

YOU ARE COMMANDED to appear before the Presiding Judge of the above-entitled Court, the District Court of the above Circuit, at 1111 Alakea Street, 10th floor, Courtroom B, Honolulu, Hawai'i 96813, on \_\_\_\_\_, 20\_\_ at 8:30 o'clock A.M.

Prior to the scheduled hearing date, you or your attorney may file a written response explaining, excusing, justifying, or denying the alleged act or acts of harassment. At the hearing, the parties shall be prepared to testify, call and examine witnesses, present any documents, and give legal or factual reasons why the Injunction should or should not be granted. Each party may be represented by an attorney and shall be prepared to proceed at the hearing. **IF YOU OR YOUR ATTORNEY FAIL TO ATTEND AT THE TIME AND PLACE DESIGNATED, AN ORDER GRANTING PETITION FOR INJUNCTION AGAINST HARASSMENT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE PETITION.**

The Court shall receive all evidence that is relevant at the hearing, and may make independent inquiry. If the Court finds by clear and convincing evidence that harassment by Respondent(s) in the form of physical harm, bodily injury, assault, of the threat of imminent physical harm, bodily injury to Petitioner exists, it may enjoin for no more than three years further harassment by Respondent(s). If the court finds by clear and convincing evidence that harassment by Respondent(s) in the form of an intentional or knowing course of conduct directed at Petitioner(s) that seriously alarms or disturbs, consistently or continually bothers Petitioner(s) and that serves no legitimate purpose exists, and such course of conduct would cause a reasonable person to suffer emotional distress, the court shall enjoin for no more than three years, further harassment by Respondent(s).

This Order shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a judge of the above-entitled Court permits, in writing on this Order, personal delivery during those hours.

Date:	Clerk of the above-entitled Court
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In accordance with the Americans with Disabilities Act if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, OR TTY 539-4853 at least ten (10) working days in advance of your hearing Or appointment date. For Civil related matters, please call 538-5151.

DISTRICT COURT OF THE FIRST CIRCUIT

FILED  
DISTRICT COURT OF  
THE FIRST CIRCUIT

2018 APR 12 P 12:58

FEE EXEMPTION FORM

Case Number: 1SS18-1-441

LEGAL DOCUMENTS  
CLERK J. HAUSLER

Case Title: Andria Tupola vs. Eric Ryan

Name of Party: Andria Tupola

Document Title: TRO

PAID  
\$15.00  
APR 12 2018  
#86717

In this case, the above-named party claims a fee exemption under H.R.S. §607-2.5 which states,

Exemptions of costs and fees. Persons subject to domestic abuse, abuse of family or household members, stalking, or sexual assault shall be exempt from paying the costs and fees prescribed in this chapter in connection with filing, issuance, registration, or service of a protection order, or a petition for a protection order, warrant, or witness subpoena issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person. For purposes of this section, the term "protection order" means any temporary or final order of protection, a restraining order, or an injunction involving domestic abuse, abuse of family or household members, stalking, or sexual assault issued by a civil or criminal court, other than a support or custody order.

[Signature]  
Signature of  Above-Named Party  
 Party's Attorney

APR 10 2018  
Date

Submit this document along with the Notice For Payment of Fees, by the payment deadline indicated in the Notice, to: District Court, Civil Division  
1111 Alakea Street, 3<sup>rd</sup> Floor  
Honolulu, Hawaii 96813

Approved  
 Fee Required

[Signature]  
Judge of the Above-Entitled Court

1st Amended ORIGINAL

PETITION FOR EX PARTE TEMPORARY RESTRAINING ORDER AND FOR INJUNCTION AGAINST HARASSMENT; DECLARATION OF PETITIONER; TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT; AND NOTICE OF HEARING

FILED DISTRICT COURT OF THE FIRST CIRCUIT Form #JDC31

2018 APR 16 A 8 47

LEGAL DOCUMENTS CLERK C. KOBATA

[Signature]

IN THE DISTRICT COURT OF THE FIRST CIRCUIT Honolulu DIVISION STATE OF HAWAII

Petitioner(s) ANDRIA TUPOLA

Respondent(s) (if known, list Address, Telephone for each respondent) ERIC RYAN [Redacted]

Reserved for Court Use Civil No. ISS 1SS18 1 0044

Petitioner(s)/Petitioner(s)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers) ANDRIA TUPOLA 415 S. BERETANA ST HONOLULU HI 96813

PETITION FOR EX PARTE TEMPORARY RESTRAINING ORDER AND FOR INJUNCTION AGAINST HARASSMENT

This Petition is made pursuant to Hawaii's Revised Statutes sections 904-10.5 and the following statement:

- 1. The Petitioner(s) is a resident(s) of the Division of the above District and Circuit of the State of Hawaii.
2. Based upon the attached Declaration of Petitioner(s), Petitioner(s) ask(s) for:
a. An ex parte temporary restraining order not to exceed a period of ninety (90) days for protection enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from:
- contacting, threatening, or physically harassing
- telephoning the Petitioner(s)
- entering or visiting Petitioner(s)' residence, including yard and garage and place of employment.
b. An order of an Injunction not to exceed a period of three (3) years, enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from committing those acts set forth in paragraph 2a. hereof.
c. An order prohibiting Respondent(s) from owning or possessing firearm(s) and/or ammunition.
d. An order awarding reasonable attorney's fees and costs to Petitioner(s) and such further relief as the Court deems just and appropriate.

DEEMED

RECEIVED DISTRICT COURT OF THE FIRST CIRCUIT 2018 APR 13 P 2:11

Date: 4.13.18

Signature of Petitioner(s): [Signature] Print/Type Name(s): ANDRIA TUPOLA

TRO JXX (Effective 7/1/2001) 10-P-809 (10/03) RQ(01/11)

SEE REVERSE SIDE

I certify that this is a full, true, and correct copy of the original on file in this office. Clerk, District Court of the above Circuit, State of Hawaii

DECLARATION OF PETITIONER(S)

Petitioner states the following is true:

- Recent or past act(s) of harassment occurred; and/or
  - Threats of harassment make it probable that acts of harassment may occur soon.
- Respondent(s)  own;  possess; or  intend to obtain or possess  
 firearm(s) and/or ammunition that may be used to threaten or injure Petitioner(s).
- Describe the firearm(s)/ammunition: \_\_\_\_\_  
 Location of the firearm(s)/ammunition: \_\_\_\_\_  
 Date last seen: \_\_\_\_\_

Street address/ specific location where last seen: \_\_\_\_\_

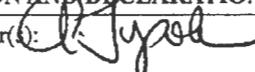
(Explain in detail recent or past acts or threats of harassment, using additional sheets, if necessary.)

SEE ATTACHED

- Unless Respondent(s)' wrongful conduct is stopped or prevented by order of the Court, Petitioner(s) will suffer substantial emotional distress.

I have read the Petition and Declaration, know their contents, and verify that the statements contained therein are true to my personal knowledge and belief.

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FACTS AND CIRCUMSTANCES STATED IN THE PETITION AND DECLARATION ARE TRUE AND CORRECT.**

Date: 4.13.18	Signature of Petitioner(s):  Print/Type Name(s): ANDRIA TUPOLA
---------------	--

April 13, 2018

Re: TRO

Fr: Andria Tupola

To: District Court



To Whom It May Concern,

I am requesting for a TRO against Eric Ryan because I feel afraid and helpless. I feel alarmed and disturbed because it's everyday multiple times a day. I've tried to stop it and asked others to help. I can't operate in the day without worrying if he will start to verbally attacking me and others for speaking out in my defense. I have heightened anxiety and feel emotionally distressed because some of the harassment comes in the middle of the night and early in the morning.

**I have filed an open harassment case on 4.13.18 at 13:12 and the the Sheriff's report number is SD18-03980.** Eric Ryan's consistent and continual posts and emails are very disturbing and alarming. I have **documentation** of all of his intentional and knowing course of actions directed at me. Here is the list

(TODAY) 4.13.18 - 10:16am, 4:13.18 - 2am, (YESTERDAY) 4.12.18 - 5:16pm, 4.6.18 - 12:49am, 4.15.18 - 11:31am, 4.5.18 - 8:07pm, 3.29.16 - 8:04am, 3.29.18 - 7:27am, 3.28.18 - 10:40am, 3.27.18 - 2:49am, 3.24.18 - 11:18pm, 3.23.18 - 3:02pm, 3.23.18 - 10:41am, 3.21.18 - 10:41am, 3.19.18 - 1:45pm, 3.15.18 - 11:24am, 3.12.18 - 8:48am...there are many others from this year.

(LAST YEAR) 10.29.17 - 9:35pm, 10.27.17, and many others

There are many more posts and attacks from last year. It has been over a year and it is **INCESSANT**. I have friends and family messaging and calling me asking that it stop. We reported it to Facebook and will be pursuing legal action. He even showed up at one of my forums the night after he harassed me for hours. These social media posts that he sometimes runs as advertisements have included death threats such as "we should kill people like this," "throw that bitch in the ocean," and "hang her." It is causing emotional distress to me, my family members, and others that just can't make his emails and posts stop showing up in their feed and in their inbox. His harassment and stalking in the public is of serious concern for my safety.

TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT

Based upon the attached Petition for Ex Parte Temporary Restraining Order and Declaration of Petitioner(s) and pursuant to Hawai'i Revised Statutes §604-10.5, the Court finds there is probable cause to believe:

- Recent or past acts of harassment by Respondent(s) have occurred.
Threats of harassment by Respondent(s) make it probable that acts of harassment may be imminent against Petitioner(s).

It appears to the Court that a Temporary Restraining Order should be granted and is necessary to prevent acts of harassment. Accordingly, IT IS ORDERED that Respondent(s) shall appear before the Judge in the above-entitled proceeding at the date, time and place indicated in the Notice of Hearing below. Pending the hearing on this Petition, Respondent(s) is/are ordered as follows.

TO THE RESPONDENT:

YOU AND ANYONE ACTING ON YOUR BEHALF ARE ORDERED AS FOLLOWS:

- Do not contact, threaten, or physically harass Petitioner(s) and any person(s) residing at Petitioner(s)' residence
Do not telephone Petitioner(s)
Do not enter or visit Petitioner(s)' residence, including yard and garage, and place of employment.
Pursuant to HAWAII REVISED STATUTES §134-7, you shall not possess or control any firearm(s) and/or ammunition for the duration of this Temporary Restraining Order.
You shall immediately turn over for safekeeping all firearms and/or ammunition in your possession and control to the Honolulu Police Department (Firearms Unit, Main Station, 801 So. Beretania Street, 1st Floor, Honolulu Hawai'i 96813), for the duration of this Order or any extensions thereof.

This Order becomes effective upon its signing and filing and shall remain in effect for fifteen (15) days, unless extended or terminated by the Court.

ANY KNOWING OR INTENTIONAL VIOLATION OF THIS TEMPORARY RESTRAINING ORDER AGAINST HARASSMENT IS A MISDEMEANOR PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR AND/OR UP TO A \$2,000 FINE. A SENTENCE OF 48 HOURS JAIL FOR A SECOND CONVICTION AND 30 DAYS JAIL FOR ANY SUBSEQUENT CONVICTION(S) IS MANDATORY. (HAWAII REVISED STATUTES §604-10.5, §706-663 AND §706-640).

Date: APR 16 2018

Judge of the above-entitled Court DENIED - Harassment as defined by HRS §604-10.5 is not sufficiently alleged. (is email to you)

NOTICE OF HEARING

TO: ERIC RYAN

NOTICE IS GIVEN that the Petitioner(s) above named has/have filed the foregoing Petition for Ex Parte Temporary Restraining Order and for Injunction Against Harassment.

YOU ARE COMMANDED to appear before the Presiding Judge of the above-entitled Court, the District Court of the above Circuit, at 1111 Alakea Street, 10th floor, Courtroom B, Honolulu, Hawai'i 96813, on 20 at 8:30 o'clock A.M.

Prior to the scheduled hearing date, you or your attorney may file a written response explaining, excusing, justifying, or denying the alleged act or acts of harassment. At the hearing, the parties shall be prepared to testify, call and examine witnesses, present any documents, and give legal or factual reasons why the Injunction should or should not be granted. Each party may be represented by an attorney and shall be prepared to proceed at the hearing. IF YOU OR YOUR ATTORNEY FAIL TO ATTEND AT THE TIME AND PLACE DESIGNATED, AN ORDER GRANTING PETITION FOR INJUNCTION AGAINST HARASSMENT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE PETITION.

The Court shall receive all evidence that is relevant at the hearing, and may make independent inquiry. If the Court finds by clear and convincing evidence that harassment by Respondent(s) in the form of physical harm, bodily injury, assault, of the threat of imminent physical harm, bodily injury to Petitioner exists, it may enjoin for no more than three years further harassment by Respondent(s). If the court finds by clear and convincing evidence that harassment by Respondent(s) in the form of an intentional or knowing course of conduct directed at Petitioner(s) that seriously alarms or disturbs, consistently or continually bothers Petitioner(s) and that serves no legitimate purpose exists, and such course of conduct would cause a reasonable person to suffer emotional distress, the court shall enjoin for no more than three years, further harassment by Respondent(s).

This Order shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a judge of the above-entitled Court permits, in writing on this Order, personal delivery during those hours.

Date:

Clerk of the above-entitled Court

In accordance with the Americans with Disabilities Act if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, OR TTY 539-4853 at least ten (10) working days in advance of your hearing Or appointment date. For Civil related matters, please call 538-5151.

2nd Amended

ORIGINAL

FILED  
DISTRICT COURT OF  
THE FIRST CIRCUIT

TWO-SIDED FORM, page 1 of 3  
Form #1DC51

2018 APR 17 P 2:35

PETITION FOR EX PARTE TEMPORARY RESTRAINING  
ORDER AND FOR INJUNCTION AGAINST HARASSMENT;  
DECLARATION OF PETITIONER; TEMPORARY RESTRAINING  
ORDER AGAINST HARASSMENT; AND NOTICE OF HEARING

IN THE DISTRICT COURT OF THE FIRST CIRCUIT <u>HONOLULU</u> DIVISION STATE OF HAWAII		LEGAL DOCUMENTS CLERK <u>J. HAUSLER</u>
Petitioner(s)  <u>ANDRIA TUPOLA</u>		Reserved for Court Use Civil No. ISS <u>45518 1 0044</u>
Respondent(s) (if known, list Address, Telephone for each respondent)  <u>ERIC RYAN</u> 		Petitioner(s)/Petitioner(s)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)  <u>ANDRIA TUPOLA</u> <u>415 S. BERETANIA ST</u> <u>HONOLULU, HI 96813</u>

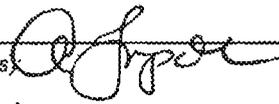
PETITION FOR EX PARTE TEMPORARY RESTRAINING ORDER AND FOR INJUNCTION AGAINST HARASSMENT

This Petition is made pursuant to Hawai'i Revised Statutes section §604-10.5 and the following statement:

- The Petitioner(s) is a resident(s) of the Division of the above District and Circuit, State of Hawai'i.
- Based upon the attached Declaration of Petitioner(s), Petitioner(s) ask(s) for:
  - An ex parte temporary restraining order not to exceed a period of ninety (90) days for protection enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from:
    - contacting, threatening, or physically harassing
      - Petitioner(s)     Any person(s) residing at Petitioner(s)' residence
    - telephoning the Petitioner(s)
    - entering or visiting Petitioner(s)'  residence, including yard and garage and  place of employment.
  - An order of an Injunction not to exceed a period of three (3) years, enjoining Respondent(s) and any other person(s) acting on Respondent(s)' behalf from committing those acts set forth in paragraph 2a. hereof.
  - An order prohibiting Respondent(s) from owning or possessing firearm(s) and/or ammunition.
  - An order awarding reasonable attorney's fees and costs to Petitioner(s) and such further relief as the Court deems just and appropriate.

RECEIVED  
DISTRICT COURT OF  
THE FIRST CIRCUIT  
2018 APR 17 A 9:27

(continued on reverse side)

Date: <u>4.17.18</u>	Signature of Petitioner(s) 
	Print/Type Name(s): <u>ANDRIA TUPOLA</u>

TRO.3XX (Effective 7/1/2001)  
15-F-850 (10/03)  
PG(01/11)

SEE REVERSE SIDE

I certify that this is a full, true, and correct  
copy of the original on file in this office.

\_\_\_\_\_  
Clerk, District Court of the above Circuit, State of Hawai'i

DECLARATION OF PETITIONER(S)

Petitioner states the following is true:

- Recent or past act(s) of harassment occurred; and/or
  - Threats of harassment make it probable that acts of harassment may occur soon.
- Respondent(s)  own;  possess; or  intend to obtain or possess
- firearm(s) and/or ammunition that may be used to threaten or injure Petitioner(s).
- Describe the firearm(s)/ammunition: \_\_\_\_\_
- Location of the firearm(s)/ammunition: \_\_\_\_\_
- Date last seen: \_\_\_\_\_

Street address/ specific location where last seen: \_\_\_\_\_

(Explain in detail recent or past acts or threats of harassment, using additional sheets, if necessary.)

PLEASE SEE ATTACHED

- Unless Respondent(s)' wrongful conduct is stopped or prevented by order of the Court, Petitioner(s) will suffer substantial emotional distress.

I have read the Petition and Declaration, know their contents, and verify that the statements contained therein are true to my personal knowledge and belief.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE FACTS AND CIRCUMSTANCES STATED IN THE PETITION AND DECLARATION ARE TRUE AND CORRECT.

Date: 4.17.18	Signature of Petitioner(s):  Print/Type Name(s): ANDREA TUPOU
---------------	---

April 16, 2018

To Whom It May Concern,

I am requesting for a TRO against Eric Ryan because I feel afraid and helpless. **He has been consistently and constantly harassing me via email and facebook.** I feel alarmed and disturbed because it's everyday multiple times a day. I've tried to stop it and asked others to help. I can't operate in the day without worrying if he will start to verbally attacking me and others for speaking out in my defense. I have heightened anxiety and feel emotionally distressed because some of the harassment comes in the middle of the night and early in the morning.

**I have filed an open harassment case on 4.13.18 at 13:12 and the the Sheriff's report number is SD18-03980.** Eric Ryan's consistent and continual posts and emails are very disturbing and alarming. I have **documentation** of all of his intentional and knowing course of actions directed at me. Here are his most recent attacks:

- April 13, 2018, 10:16am, Facebook Post - "...Kick these puppet politicians to the curb once and for all."
    - Comments: "These people need to be put in their place." "Get them out, now."
  - April 13, 2018, 1:19am, Facebook Post - "Thanks to HIRA action, Rino Andria Tupla HAS BEEN FORCED to admit that the massive tax increase she just voted in favor of will cause rent to go up."
    - .Comments: "She will get hers in due time."
  - April 12, 2018, 5:16pm, Facebook Post - "...Andria Tupola was recklessly voting for the scheme proposed by democrats..."
    - Comments: "She is corrupted Hawaii we can't trust her even doe she from waianae local girl..." "Screwed again by yellow cowards." "These people need to be put in their place."
  - April 6, 2018, 12:49am, Facebook Post - "...By continually lying to her supporters. Tupola is digging herself into a hole she will never get out of. A true pilautician. If Rino Andria Tupola's lips are moving, then she's probably lying."
    - Comments: "She looks like a bitching lying son of a bitch liar fuck all rinos!" "She's like a typical lying dumbocrat!" "Keep these idiots from getting elected." "She needs to go."
  - April 5, 2018, 8:07pm, Facebook Post - "She should be ashamed of herself... Tupola is telling her supporters that HIRA is cyberbullying her by telling the truth about her horrible voting record. Give us a freaking break, crybaby. Auwe!"
    - Comments: "Hang her."
  - April 5, 2018, 11:31am, Facebook Post - "The harmful Tupola-Chin Amnesty Agenda is designed to prioritize illegal aliens..."
    - Comments: "Two of the best Mexican Politicians ever." "Sick of these dumb ass haters!! F U both of you shame you two!!" "Eil shit bags bra!!!" "Fucking punkass liberals..." "Screw them both." "She a equal lying shark. Would be awesome if they fed on themselves." "Throw the two of them, all illegal aliens"
-

and the former piece of shit into a [volcano emoji]. Problem solved.” “Throw them in jail.” “Put these dummies in jail.” “You’ll need to actually shoot them for that to happen.” “Stupid sons of bitches. somebody has got to do some bitch slapping & I’m available & it’s free !” “ Get their corrupt asses out of there.” “They make a good sacrifice to Pele. Throw em in the volcano. watch em burn.” “This pretty wahine who calls herself a Republican. is in league with Satan.” “Off with there fuckin heads !!! What ? Sure beats raping then killing them after.”

- March 29, 2018, 7:27am, Facebook Post: “From the lousy judgement department...”
  - Comments: “f&(kinG pig!” 2face liars. say anything for votes.” “How can these people possibly have taken over the GOP in Hawaii? Why don’t people just get rid of them.” “Andria. time to resign from state house. Your whole life is based on lies.”
- March 27, 2018, 2:49pm, Facebook Post: “Auwe, RINO Tupola! Go back to doing litter pickups instead of picking the pockets of the people you pretend to serve. Pilau!”
  - Comments: “Vote “Honey Girl” out!” “The face of stupid” “Way to go dumbRATS”
- March 23, 2018, 3:02pm, Facebook Post: “Reality check.”
  - Comments: “Political whores. Don’t wanna work 9 to 5 chase the campaign cash.” “Back stabbing bitches” “Morons”
- March 21, 2018, 11:18am, Facebook Post: “AS IF DEMOCRATS AND PUBLIC EMPLOYEES DON’T ALREADY BLEED US DRY: Fake Republican ‘minority leader’ and RINO gubernatorial candidate Andria Tupola voted “YES” to make a college education in Hawaii even more costly to students and taxpayers alike by letting already powerful public worker unions organize UH system graduate student assistants and then bargain collectively for wages, hours and benefits.”
  - Comments: “Get rid of her!” “THEY’RE ALL LIARS..!” “That’s the way the libturds operate.”
- Social Media Posts - 4.13.18 - 10:16am, 4.13.18 - 2am, 4.12.18 - 5:16pm, 4.6.18 - 12:49am, 4.15.18 - 11:31am, 4.5.18 - 8:07pm, 3.29.16 - 8:04am, 3.29.18 - 7:27am, 3.28.18 - 10:40am, 3.27.18 - 2:49am, 3.24.18 - 11:18pm, 3.23.18 - 3:02pm, 3.23.18 - 10:41am, 3.21.18 - 10:41am, 3.19.18 - 1:45pm, 3.15.18 - 11:24am, 3.12.18 - 8:48am...
- Emails - 10.29.17 - 9:35pm, 10.27.17, and many others

There are many more posts and attacks from last year. It has been over a year and it is **INCESSANT**. I have friends and family messaging and calling me asking that it stop. We reported it to Facebook and will be pursuing legal action. He even showed up at one of my forums the night after he harassed me for hours. These social media posts that he sometimes runs as advertisements have included death threat comments such as “we should kill people like this,” “throw that bitch in the ocean,” and “hang her.” It is causing emotional distress to me, my family members, and others that just can’t make his emails and posts stop showing up in their feed and in their inbox. His harassment and stalking in the public is of serious concern for my safety. **WE HAVE MORE FORUMS COMING UP & I’M AFRAID HE WILL HARASS ME AT THESE EVENTS.**

15918-1-444

RPO

FILED  
DISTRICT COURT OF  
THE FIRST CIRCUIT

**ERIC S. RYAN**

2018 APR 18 PM 3:45



HAND DELIVERED - URGENT

LEGAL DOCUMENTS  
CLERK M. TORRES

RECEIVED  
L. SHERMAN  
L. SHERMAN

RECEIVED  
DISTRICT COURT OF  
THE FIRST CIRCUIT  
2018 APR 17 P 2:40

17 April 2018

Judge Michael K. Tanigawa  
District Court of the First Circuit  
State of Hawaii  
1111 Alakea Street  
Honolulu, HI 96813  
TEL: 808-954-5015

RE: Felony Perjury Committed by Andria Tupola In Sworn Statement (TRO Petition)

Aloha Judge Tanigawa:

This afternoon, I learned from a reporter yesterday at the Star-Advertiser that you rightfully denied Andria Tupola's politically-motivated petition for a TRO which fascistically sought to curtail the First Amendment rights belonging to me and to my organization -- the Hawaii Republican Assembly (HIRA) -- to openly and fairly criticize Tupola's voting record as a legislator by likening criticism to being 'raped over and over again' and 'cyberbullied'. Thank you for correctly ruling twice that Ms. Tupola's nutty arguments did not sufficiently meet the standard for actual harassment. I'm pretty sure that you knew she was trying to manipulate her for purely political purposes.

The main reason I'm urgently writing to you is to find out how Ms. Tupola can be prosecuted or somehow penalized for perjury for falsely alleging a number of knowingly phony and material statements in her secretly filed petition and her sworn statement to you which I obtained from the court clerk after being notified yesterday by the above-referenced reporter.

The first perjurious sworn statement is her accusation that I have been stalking her, such as alleging that I went to an event last week in order to harass or bully or intimidate her: "On April 6th there was a gubernatorial forum and he showed up that next morning at the forum . . . His physical presence at my forum the following morning made very aware that his verbal abuse online via social media and email will be followed by stalking in the public and concern for my safety." Judge Tanigawa, I've never met Tupola nor have I ever seen her in person, up close or from a distance. To my knowledge, I've never been in the same room or even the same building with her. I was definitely not in attendance at the Council for Native

Hawaiian Advancement's gubernatorial candidate forum at the Dan Inouye Airport on April 6th. Her perjurious claim that I attended this event is a materially false statement concocted to sway your judgement. I attended no such event. Moreover, multiple witnesses -- *including Tupola's 2018 GOP rival John Carroll and his entire entourage* -- can attest that I was not in attendance at this gubernatorial forum. I was invited to be Carroll's guest at the lengthy event in question, but declined the invitation in advance due to a scheduling conflict.

Here is Tupola's second perjurious statement: **"On April 5th he created an advertisement that I supported a sanctuary state bill. We had a bill regarding making Hawaii a Sanctuary State (HB 1994) on February 16, 2018 and I voted 'no.'"** As you can see from a copy of the ad in question that HIRA is running on Facebook, I am clearly referencing Tupola's vote in favor of the bill to force county DMV's to issue driver's licenses to illegal aliens here in Hawaii. In HIRA's ad, there's even a link to the bill in question - HB1007 HD1 SD2, RELATING TO MOTOR VEHICLE DRIVER LICENSING. Tupola knows this, yet deliberately perjured herself with this materially false statement in order to sway your judgement.

Here's is Tupola's third perjurious statement: **"He combined that bill with another one from two years ago regarding limited purpose driver's licenses that are for people who have legally come here but for one reason or another are undocumented."** This is pure hogwash. Illegal immigration attorney Maile Hirota admitted to Hawaii News Now about these new licenses that this bill meant that officers can't use the limited license to question a driver's citizenship or immigration status: "That prohibition against using it for law enforcement purposes was specifically placed in there to encourage undocumented people who would be applying for this to actually apply for it and not to be afraid," she said.

<http://www.hawaiinewsnow.com/story/30893970/lawmaker-warns-new-license-law-is-open-to-abuse>

Civil Beat's reporting is even clearer, with its June 30, 2015 headline "Ige Signs Bill to Help Undocumented Immigrants Obtain Driver's Licenses"

<http://www.civilbeat.org/2015/06/ige-signs-bill-to-help-undocumented-immigrants-obtain-drivers-licenses/>

The Hawaii Civil Rights Commission testified in favor of the bill and made it clear that illegal aliens are the main beneficiary: "It is good public policy that that these residents who are undocumented immigrants be granted licenses to operate motor vehicles"

[https://www.capitol.hawaii.gov/Session2015/Testimony/HB1007\\_HD1\\_SD1\\_TESTIMONY\\_JDI\\_03-27-15.PDF](https://www.capitol.hawaii.gov/Session2015/Testimony/HB1007_HD1_SD1_TESTIMONY_JDI_03-27-15.PDF)

Clearly, contrary to Tupola's perjurious statement, this law was not designed exclusively for the benefit of "people who have legally come here." Tupola knows this. She voted for this bill. Yet she deliberately perjured herself with this materially false statement in order to sway your judgement.

Judge Tanigawa, I know that you have personally seen politicians abuse YOUR very own courtroom before; attempting to abuse TRO's to attack political opponents with phony charges, as in the case of politician Matt LoPresti who tried without success to sneak this tactic past you in order to undermine his innocent, non-harassing political opponent Bryan Jeremiah a couple of years ago.

The case of Andria Tupola's perjury and abuse of the TRO process involves a host of bogus allegations along with her shameful attempt to have you and the court protect her from fair political criticism. Judge Tanigawa, she selfishly wants you to order that the State of Hawaii formally join her fascistic, un-American campaign to shut down legitimate free speech because political and financial support for her flailing gubernatorial campaign is evaporating in light of her voting record being exposed by HIRA . . . even if it means Tupola making perjurious statements to achieve her disgusting goal of using your court to silence political opposition. Her laughable claim that my protected speech about her voting record will cause her to "suffer substantial emotional distress" makes it seem like she belongs in a loony bin rather than in public office. What's next? Will she be calling 911 every five minutes when Colleen Hanabusa criticizes her?

Finally, I repeat my reason for writing to you urgently today. Please tell me how I can obtain justice against Ms. Tupola for repeatedly and deliberately lying to you about material 'facts' in her sworn statement. Do I call 911 and file a police report? Do I write a complaint to the City Prosecutor or to the State Attorney General? Do I have to hire a lawyer and file a civil lawsuit in regard to Tupola's perjury and obvious attempt to abuse your courtroom to trample on my constitutional rights? Or is this possibly something that you can rule directly on and sentence her to jail for?

As you are aware, Rep. Tupola signed her petition to you declaring under penalty of perjury under the laws of the State of Hawaii that the facts and circumstances stated in the petition and declaration are true and correct. And now I've provided you with three materially false perjurious statements which demand prosecution of someone who is deliberately abusing the TRO process to convince you and the State of Hawaii that criticising a public official is a crime. While denying her petition is a great first step and I applaud you, I hope you'll agree that the hammer of justice needs to come down on this fascistic and self-dealing perjurer right away. TRO's are for real victims, not imagined or manufactured ones such as thin-skinned politicians.

Please let me know right away how I can obtain justice in this matter. My contact information is at the top of this letter. Thanks for your kind and urgent attention to this matter.

Sincerely yours,

A large black rectangular redaction box covering the signature area.

ERIC RYAN

Attachment - complete copy of HIRA's Facebook ad (a.k.a. 'boosted post')



Hawaii Republican Action - HIRA

April 5 at 11:31am

...

**TUPOLA AND CHIN ARE SELLING OUT THE PEOPLE OF HAWAII:** What do ultra-liberal local politicians Rep. Andria Tupola (R) and Doug Chin (D) have in common? Plenty! They are selling out the people of our state by forcing county DMVs to hand out Hawaii driver's licenses to nearly 50,000 illegal aliens in the Islands and letting illegals STEAL tens of thousands of local jobs for cash under the table, drive on our already crowded streets, occupy our already scarce housing, exploit our already costly social services and drive up the already high cost of living for legitimate island residents.

The harmful Tupola-Chin AMNESTY AGENDA is designed to prioritize illegal aliens, NOT locals. Stop these and other pilau sanctuary politicians pushing their progressive agenda in Hawaii before it's too late. Auwe!

As of 2014, approximately 45,000 undocumented immigrants lived in Hawaii. That's four years ago while Obama was still in halfway through his 2nd term. It's only gotten higher since then.

<https://www.americanimmigrationcouncil.org/.../immigrants-in-...>

\*\*\* Tupola voted YES to require the issuance of driver's licences to illegal aliens while Doug Chin served as Governor Ige's attorney general:

[https://www.capitol.hawaii.gov/.../measure\\_indiv\\_Archives.asp...](https://www.capitol.hawaii.gov/.../measure_indiv_Archives.asp...)

# STOP SANCTUARY POLITICIANS



## BEFORE IT'S TOO LATE