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1 Frances K. Opelle
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3 San Juan Capistrano, CA 92675
4 949-232-6629

4 Frances K. Opelle Pro Se

7 **IN THE HIGH COURT OF AMERICAN SAMOA**
8 **LAND AND TITLES DIVISION**

9 ROBIN KNEUBUHL ROUSH, FRANCES K.
10 OPELLE, AND BENJAMIN ("BEN")
11 KNEUBUHL, JR.

CA No. 28-2013
LT No. 20-13

11 PLAINTIFFS

MOTION TO REPLY TO
DEFENDANT'S POSITION
STATEMENT - IF POSITION
STATEMENT MARCH 28, 2018 BY
DEFENDANT ALLOWED

12 v.

14 DOUGLAS CRANE "MIKE" KNEUBUHL,
15 DOUGLAS KNEUBUHL, JR., CARRIE SUE
16 KNEUBUHL LAVIGNE ECKERT AND
17 KELLY KNEUBUHL NADINE FULTS,

17 DEFENDANTS

18
19 FRANCES OPELLE

20 PLAINTIFF

21 v.

22 DOUGLAS CRANE "MIKE" KNEUBUHL,
23 DOUGLAS KNEUBUHL, JR., CARRIE SUE
24 KNEUBUHL LAVIGNE ECKERT AND
25 KELLY KNEUBUHL NADINE FULTS, and
26 MARK KNEUBUHL,

26 DEFENDANTS

1 Comes now, Plaintiff Frances Opelle, in Pro Per status, makes the following
2 statements to the High Court of American Samoa in her Motion to allow a response to
3 Defendant's March 28, 2018 Position of Mike Kneubuhl Defendants.
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5 **STATEMENTS OF FACT**

6 Plaintiff mailed a motion to remove, strike, or alternatively delete the motion filed with
7 the Court on March 28, 2018 filed by Mike Kneubuhl Defendants. The basis of the April 13,
8 2018 motion was that it was not served on Plaintiff at the time of filing with the Court, and
9 thereafter was not provided to service of process for Plaintiff within a reasonable time period
10 after filing with the Court. Defendant mailed to Plaintiff on April 12, 2018 per the USPS
11 tracking code 9405511899560960642111 and received by Plaintiff on April 18, 2018. The Court
12 requested position statements to be filed within thirty days by the February 15, 2018 hearing that
13 Defendant attended on such date. Defendant's position statement argues outside of the scope of
14 the February 15, 2018 order and proposes a new alternative method. Defendant's filed position
15 statement is not a position statement on a trial de novo or summary judgment as stated in the
16 February order of the Court, but offers a new opinion and presents an argument outside of the
17 order issued by the Court as result of the February 15, 2018 hearing. As stated in Plaintiff's
18 motion to enjoin registration on Fuamete, there was a fraud committed on the Court by
19 Defendant Mike Kneubuhl. Plaintiff further stated in position statement and motion to
20 compel/motion to stay of material evidence that was not included in the trial record of exhibits.
21 Defendant's proposed disposition of the March 28, 2018 filing would allow material evidence,
22 including evidence that would demonstrate perjury on one of the Defendant's and provide
23 further documentation to support the fraud on the court as stated by Plaintiff's initial counsel in
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1 the May motion to enjoin registration on Fuamete. It would also conceal Opposing Counsel's
2 knowledge of fraud on the court with Fuamete.

3 Plaintiff respectfully requests that if the Defendant's position filed with
4 the Court on March 28, 2018, and not served on Plaintiff until an unreasonable time thereafter, is
5 not stricken or removed for not serving Plaintiff and giving notice as pending, or alternatively if
6 allowed to be submitted after the thirty day timeline provided by the Court on February 15, 2018,
7 or alternatively is allowed to present an argument outside the scope of the February 2018 order
8 on disposition of the claims, Plaintiff requests the Court allow her to be given the right to
9 respond.
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12 **PRAYER FOR RELIEF**

13 Wherefore Plaintiff prays the High Court of American Samoa will grant the
14 following:

- 15 1. If Defendant's March 28, 2018 position statement is not
16 stricken from the record or alternatively disallowed, Plaintiff respectfully request she be
17 allowed to reply to Defendant's March 28, 2018 filing with the Court.
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22 Respectfully,
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25 **Dated: May 8, 2018**

26 
27 **Frances K. Opelle – Pro Per Status**
28

PROOF OF SERVICE BY MAIL

I, *Marie Opelle-Berter* declare:

I am a citizen of the United States, a resident of HAWAII, and am of legal age. I am not a party to the within-entitled action. On MAY 8TH, 2018, I served a copy of the attached MOTION FOR CONTINUANCE TO FILE MEMORANDUM OF POINTS/MOTION TO FILE CROSS COMPLAINT AND MOTION TO REPLY TO DEFENDANT'S POSITION STATEMENT IF POSITION STATEMENT ALLOWED, NOTICE OF HEARING in this action by placing a true copy thereof, enclosed in sealed envelopes with postage thereon fully prepaid, in the United States mail during business hours in Oahu, addressed to the following:

HIGH COURT OF AMERICAN SAMOA
ATTENTION CLERK FOR HONORABLE JUDGE PATEA
PO BOX 309
PAGO PAGO, AMERICAN SAMOA 96799

ROY JD HALL – HALL AND ASSOCIATES
PO BOX 2506
PAGO PAGO, AMERICAN SAMOA 96799

MARK KNEUBUHL
PO BOX 3512
PAGO PAGO, AMERICAN SAMOA 96798

ROBIN A KNEUBUHL
64 OLIVE MILL RD
SANTA BARBARA, CA 93108

KAREN KNEUBUHL TAKEI
64-5272 PUANUANU PL
KAMUELA, HI 96743

I declare, under penalty of perjury, that the foregoing is true and correct.

Date *May 8, 2018*

Marie Opelle-Berter
Signature of Declarant