

IN THE TRADITIONAL RIGHTS COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS

CCF 16 2019


CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS

RIDEL SAMUEL for ADELMA LIBAO SAMUEL,)
)
Dri Abnono ,)
)
VS.)
)
ALDIA LANGRINE LANGINBELIK,)
)
Dri Jumae Abnono.)
_____)

CIVIL ACTION NO. 2018-191

KOLMENLOKJEN IM UWAK KO AN COURT EO
AN MANIT (TRC)

RO UWAAN PANEL EO: Acting Presiding Judge Grace Leban
 Associate Judge Nixon David
 Pro Tem Associate Judge Milton Zackios

JIKIN RONJAKE: Majuro Courthouse

RAAN IN RONJAKE EO AN CASE IN: August 8, 14, 15, 2019

IAKWELEL KO AN PARTY KO:

Ri-Abnono eo ej ba bwe Monkut ear juon imon ninnin jen Litakdrikin non ajri ro nejin, enwot ke Litakdrikin ear etal maron ko ion Monkut weto non e, jen kora eo jatun, Likaulik, eo ear jolete weto in jen jemen, Laion, enwot imon ninnin. Ri-Abnono eo ej bar ba bwe ear wor juon kwon, bwe mokta jen an etal maron kein ion Monkut weto non Litakdrikin jen kora eo jatun Likaulik, Lomae, maan eo ej make wot nejin Likaulik, enaj kar bok maron mokta, inem alkin Lomae, etal non Litakdrikin enwot imon ninnin. Ej bar ba bwe kwon in non an etal maron kein jen Likaulik non Litakdrikin ear juon kwon eo im Jebdrik Lokotowerak, Irojlaplap eo an Monkut lo tore eo, ear erra kake. Ekkar non ri-Abnono eo, alkin Lomae im alkin an aoleb ro nejin Litakdrikin jako, maron ko ion Monkut rej kio wonlaltak iumin bwij, enwot ke emoj an Lijuiar eo ej make wot nejin Litakdrikin kora im ewor nejin, jinoe juon bwij. Im bwe Bartimios ear jolet maron kein jen jinen Lijuiar, im Bartimios ej uwaan bwij eo. Ri-Abnono eo ej bar ba bwe alkin an Bartimios jako, ro jatun rar bareinwot kabjor maron kein, im alkin an jako aoleb rein jatun Bartimios inem maron kein rej etal non ro nejin Neri, im eo rainin ej Adelma Libao Samuel. Ej melele eo an ri-Abnono eo in bwe ro nejin Bartimios rejab maron bok maron kein enwot ke rej nejin botoktok.

Ri-Jumae Abnono eo ej ba bwe Monkut ej imon ninnin jen Laion non kora eo nejin Likaulik, im jen Likaulik non leo nejin, Lomae. Ej ba bwe ilo tore eo Lomae ej ber im jokwe ilo Ailuk, Litakdrikin ear kabjor maron ko ion Monkut, mae tore eo ej jako ilo 1918. Ri-Jumae Abnono eo ejbar ba bwe tok alik Lomae ear itok non Majuro alkin bata eo an lalin kein karuo (WWII), im tor eo ej jako Lomae, ear etal maron kein non kokajriri eo an, Bartimius, inem alkin ear etal non leo nejin Barwell, im rainin ej kora eo eritotata nejin Barwell, Aldia Langinbelik ej kio kabjor maron kein an Iroj edrik, Alab, kab Senior Dri Jerbal ion Monkut weto.

KAJITOK EO AN PARTY KO:

Kajitok: Won ikotaan Adelma Libao Samuel im Aldia Langrine Langinbelik, im ro rej erra ibeor, ekkar non Mantin Majol, ej e eo im ekkar im ejejot bwe en kabjor maron ko an Iroj Edrik, Alab, im Senior Dri Jerbal ion Monkut Weto, Djarret Island, Majuro Atoll, Marshall Island?

UWAAK: Adelma Libao Samuel ej eo ekkar im jejjot bwe en kabjor maron ko an Iroj edrik im Alab im Aldia Langrine Langinbelik ej e eo ekkar non kabjor maron an Senior Dri Jerbal.

MELELE KO REMOL IM KOLMENLOKJEN IM UWAAK EO EJ BEDBED ION:

Ekkar non rikamol eo kein kajuon an ri-Abnono eo, Mr. Ritel Samuel, eo ej bok jikin ri-Abnono eo ilo case in, Adelma Libao Samuel, ej ba bwe Monkut ej imon ninnin non Likaulik jen jemen, Laion. Alkin Likaulik ear lelok non Litakdrikin ijo wot ke iumin kwon in ke en ilok non leo nejin mokta, Lomae, inem elane enaj jako Lomae, ren bar jeblak maron kein non ro nejin Litakdrikin enwot imon ninnin. Ritel ear bar ba bwe ekkar non menmenbwij eo an Litakdrikin, Plaintiff's Exhibit A, Bartimius ear jolet maron ion Monkut weto jen jinen, Lijuiar, im bwe Lijuiar ear jolet jen jemen Litakdrikin enwot imon ninnin lelok jen kora eo jatun Litakdrikin, etan Likaulik. Ear bar ba ilo naan in kamol ko an ke alkin Bartimius ear etal maron kein non kora eo edriklak, Bin, botab Jorrak ear manmaronron none. Alkin Bin im Jorrak, ear etal maron kein non Watak, im alkin Watak ear etal non kora eo eritto jen jinen Ritel, etan in Rotha. Ritel ear bar ba bwe ekijon loe an Jorrak im Watak koman kojela kin bebe ko ion bwidrej im bwe Watak ear kotlok an Rithen Aknilang im leo nejin Titus Langrine kalek imon jokwe ko aero ion Monkut weto. Rikamol eo an ri-Abnono eo kein karuo, eo im ear kamol enwot juon eo etijemlok ilo Mani, Belmar Graham, jen Obij eo an Kajin Im Mani, ear ba bwe lajrak in jolet maron ion Monkut weto ej wonlaltak jen Lijuiar alkin an jako

Lomae, eo im ear wor an kokajiriri. Ear bareinwot kwalok ilo an kar Counsel eo an ri-Jumae Abnono eo kar kajitikini ke, Lijuiar ej nejin botoktok, botab ro nejin rej jen bwij, ekkar non mantin Majol.

Rikamol eo an Ri-Jumae Abnono eo kein kajuon ear Russel Langrine. Ilo naan in kamol ko an, ear ba bwe ekkar non kein kamol eo an Ri-Jumae Abnono, Defendant Exhibit D-1, menmenbwij eo an Laion ej kwalok bwe Litakdrikin ear kabjor maron ion Monkut ilo an kar jako Lomae ion Majuro in bwe ear ber tok wot ilo Ailuk. Ear bareinwot ba bwe mekarta Bartimius im Kabinmeto rar jimor jokwe ilo Monkut, ak Bartimius eo ej koman karok ion bwidrej. Ekkar non Russel, ear drik im ritto lak iben lollap eo jimaan, Bartimius. Russel ear ba bwe Bartimius ear bok maron ko ion Monkut weto jen lollap eo ear kokajiririki, Lomae, im bwe Lomae ear lelok Monkut weto non Bartimius enwot imon ninnin. Panel eo ear kajitok iben Russel ta melelein imon ninnin, im ear uak im ba, imon ninnin ej elane juon jemen bamle ej kajolet ajri ro nejin ion bwidrej, ak jolet kin toor in botoktok.

Rikamol eo an ri-Jumae Abnono eo kein karuo ej Joyline Peter. Joyline ej kora eo edrik jen ri-Jumae Abnono eo im eritto jen Russel Langrine. Joyline ear ba ilo naan in kamol ko an bwe ekkar non kein kamol D-1, Laion ear lelok Monkut non Likaulik, eo im ej jinen Lomae. Litakdrikin eritto jen Likaulik im ear wor 10 nejin ajri, im juon iaer ej Lijuiar. Lomae ear kokajiririki leo nejin Lijuiar, etan Bartimius, enwot ke Lomae im Lijuiar rej rilikin dron. Joyline ear bar ba bwe alkin an jako Bartimius, ear etal maron ko non leo nejin, Barwell, im alkin Barwell, ear etal maron ko ion Monkut weto non kora eo nejin Aldia, eo im ej ri-Jumae Abnono eo ilo case in. Ekkar non Joyline, Lijuiar ear jab kabjor maron ion Monkut weto kinke ej nejin emaan, im bwe ejab jimwe non an maron kar kabjor maron bwe ej jen botoktok. Ear bar ba bwe Bartimius ear kabjor maron tore eo Lijuiar ej mour wot. Ilo tore eo ejako Lijuiar im Bartimius ej kabjor maron kein, ear komane juon an leo nejin, Barwell, power of attorney (Defendant's Exhibit D13) non an makitkit ilo etan, ekkar non Joyline. Ear bareinwot ba bwe jimaan Bartimius ear likit ainikien ilo cassette tape naan in kalimur (D12) ko an kin Monkut weto bwe elane enaj jako jen mour in, inem leo nejin, Barwell, enaj e eo ej jolete maron kein ilo weto in. Ekkar non Joyline ear ejelok jen side eo an riAbnono rein ear ber ilo ien eo im Bartmuis ear kanne ainikien kalimur eo ear kanne ilo cassette tape.

MANIT IM IMENENE KO REJELET CASE IN:

1. *Imon Ninnin – Juon bwidrej eo im alab ak eo jeban bwij eo ej lelok imon ro nejin ilo weppen eo jen Irojlaplap eo kab bwij eo.*

- Jidrak in Bwij -Elane juon jikin botoktok ak emaan eo im nejin emaan rej alab, ej lotak juon kora im ewor nejin kora eo, jej ba e jidrak juon bwij kal...ak emaron bar juon jikin bwij eo im ear lot bwij eo im eoktak non botoktok im nejin emaan ro rej alab, ijo wot ke elane enaj bar lotak juon kora im wor nejin, ebar jidrak juon bwij kaal im maron eo an alab enaj bar rol non ro nejin kora.*

KEIDI MANIT IBEN MELELE KO REMOL:

Alkin ronjake im etale aaleb naan im kein kamol ko jen party kein ruo jimor, Panel in ej lo bwe Monkut weto ear juon imon ninnin lelok jen Laion non ro nejin. Kein kamol Plaintiff's Exhibit A, im kein kamol Defendant's Exhibit D-1, ak menmenbwij ko rej jimor kwalok bwe Monkut weto ear imon ninnin jen Laion non kora eo nejin, Likaulik. Tok alik Likaulik ear lelok non leo jein, Litakdrikin bwe en imon ninnin an ajri ro nejin Litakdrikin, ilo an kar Irojlaplap Jebdrik erra kake (Plaintiff's Exhibit H). Botab mokta jen an kar etal non ro nejin Litakdrikin, leo nejin Likaulik, etan in Lomae, ear jejjot im jimwe bwe en kabjor maron kein ion Monkut weto mokta einwot ke ej nejin bwij.

Land Determination eo ear koman ilo 1958, Plaintiff's Exhibit D/Defendant's Exhibit D-3, ej kalikar bwe ilo tore eo, Lomae ear Iroj Edrik, Jiaur ear Alab im Bartimius ear Dri Jerbal. Wawen in ej kamej lak melele eo jej bok jen menmenbwij kein bwe Monkut weto ear imon ninnin, mokta non Likaulik jen jemen, Laion, im tok alik, non Litakdrikin im ro nejin jen Likaulik. Un eo kinke elane ear imon Bartimius wot jen lollap eo ear kokajiririki, Lomae, inem Jiaur eban kar Alab im Bartimius ej Dri Jerbal enwot an alikar ilo Land Determination, 1958, kinke ekkar non manit imon ninnin ej etal non ro nejin maan eo im ro bwijin wot ilo an Iroj eo kab bwij eo erra kake. Kein kamol in ej kwalok bwe ilo 1958, Jiaur, eo ej nejin Litakdrkin im enaj jein/jatun Lomae, ear kabjor maron in Alap im Bartimius ear an Dri Jerbal.

Ri-Jumae Abnono eo ejba ilo naan in kamol ko bwe Monkut weto ej imon ninnin an Bartimius jen lollap eo ear kokajiririki, Lomae, ijo wot ke ejelok kein kamol ej kalikar ke Lomae ear kebaak bwij eo non lelok Monkut weto non kokajiriri eo an, Bartimius. Ewor wot kamol ilo Menmenbwij eo bwe ejimwe im jejjot bwe Bartimius enkar kabjor maron enwot ke ej nejin Lijuiar, eo bwij eo ear jidrak jene. Ilo kein kamol eo an Ri-Jumae Abnono eo, Defendant's Exhibit D-6, Bartimius make ej kalikar bwe ear jolet maron ion Monkut weto jen jinen, Lijuiar, ak ejab ba Lomae. Ri-Jumae Abnono eo ej bar ba bwe Bartimius ear kejolete leo nejin, Barwell, kin maron ko ion Monkut weto, im Panel in ear ronjake ainikien Bartimius eo rar kanne ilo cassette an ba melele in, Defendant's Exhibit D-12. Ijo wot ke ejelok kein kamol ear kalikar bwe bwij eo ear erra kake kalimur in. Ilo naan in kamol ko ear bar alikar bwe ear ejelok ian Ri-Abnono

rein rar ber im kamol kalimur in an Bartimius tore eo rej kanne ainikien. Panel in ij tomak bwe jabdrewot kalimur ko Bartimius ear komani ilo jeje ak ilo kenono non kejolete eo nejin ak jibwin, ikijen maron ko ion Monkut weto einwot Iroj edrik, Alap, ak Drijerbal, ej aikuj kar kebaak nukin ak bwij eo enwot ke Monkut weto ej imon bwij im bareinwot ejimwe im jejjot ekkar non Mani. Ejja ilo jokjok in wot, elane Lomae ear kejolete kokajiriri eo an kin maron ko ion Monkut weto, inem ej aikuj kar bar kebaak nukin ak bwij eo einwot ekkar non Mani.

Kin melele kein kolajraki, Panel in ej kile bwe Adelma Libao Samuel ej e eo ekkar im jejjot bwe en Iroj edrik im Alab ion Monkut weto rainin, im kinke Aldia ej nejin maan, inem e eo ej kabjor maron an Senior Dri Jerbal ion Monkut weto rainin.

RIKAMOL RO AN RIABNONO RO:

1. Ritel Samuel
2. Belmar Graham

RIKAMOL RO AN RIJUMAE ABNONO EO:

1. Russel Langrine
2. Joyline Peter

KEIN KAMOL KO AN RIABNONO:

1. Plaintiffs' Exhibit A – Menmenbwij of Litakdrikin and Litarmille
2. Plaintiffs' Exhibit B – Land Determination of Djarret, Majuro Atoll
3. Plaintiffs' Exhibit C – Order of Proceeding, June 9, 1958 for Monkut Wetu
4. Plaintiffs' Exhibit D – Motion for Leave to Amend Answer
5. Plaintiffs' Exhibit E – Order Amending Action on Civil Action No. 317
6. Plaintiffs' Exhibit F – Memorandum of Points and Authorities in Reply to Plaintiffs' Supplemental Points and Authorities in Civil Action No. 317
7. Plaintiffs' Exhibit G – Affidavit of Bartimius Langrine, CA-317
8. Plaintiffs' Exhibit H – Affidavit in Support of Motion to Dismiss
9. Plaintiffs' Exhibit I – Pre-Trial conference on CA-317
10. Plaintiffs' Exhibit J – Part of CA-317
11. Plaintiffs' Exhibit K – Opinion in Answer, CA 2005-096
12. Plaintiffs' Exhibit M – Kamol Maron Ion Bwidej
13. Plaintiffs' Exhibit N – Mortgage of Leasehold

KEIN KAMOL AN RIJUMAE ABNONO EO:

1. Exhibit D1 – Menmenbwij of Laion
2. Exhibit D2 – Death certificate of Neri
3. Exhibit D3 – 1958 TT Land Determination
4. Exhibit D4 – TT Case No. 317
5. Exhibit D5 – Death Certificate o Jiaur
6. Exhibit D6 – Motion for Leave to Amend Answer & Order
7. Exhibit D7 – Motion to Dismiss
8. Exhibit D8 – Ruling on Motions to Set Aside Judgment and For New Trial
9. Exhibit D9 – Affidavit of Bartimius in Support of Motion to Dismiss
10. Exhibit D10 – Ruling on Motions to Set Aside Judgement and For New Trial
11. Exhibit D11 – Authorization from Bartimius to Joyline Langrine Peter
12. Exhibit D12 – The Oral Kalimur of Bartimius Langrine to His Son Barwell
13. Exhibit D13 – Special Power of Attorney from Bartimius to Barwell Langrine
14. Exhibit D14 – Death Certificate of Bartimius Langrine
15. Exhibit D15 – Death Certificate of Jorrak Langrine
16. Exhibit D16 – Death Certificate of Libbin Kejon
17. Exhibit D17 – Summons & Complaints Against Barwell by Aerme Kamo
18. Exhibit D18 – Death Certificate of Watak Langrine
19. Exhibit D19 – Authorization from Joyline Langrine Peter to Aba Langrine
20. Exhibit D20 – Power of Attorney of Aldia Langinbelik to Joyline Peter to Deal with This Case
21. Exhibit D21 – Death Certificate of Barwell Langrine
22. Exhibit D22 – Land Use Agreement Signed by Bartimius
23. Exhibit D23 – Power of Attorney from Adelma Samuel to Carmen Bigler, Kelel Roberts, & Others

MELELE KO JET PANEL IN EJ TOMAK REKAR NON KWALOKI:

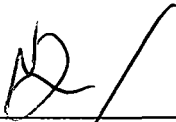
Ekkar non kein kamol Plaintiff's Exhibit A, Menmenbwij eo an Litakdrikin, Panel in ej loe bwe ewor ro imaan lak jen Bartimius im emaron kar kabjer maron an Senior Dri Jerbal rainin enwot Kabinmeto im ro jet, botab rar jab abnono kin maron in ilo case in, kin menin ej kile ro nejin Bartimius im rej ber ilo case in enwot jet ro rej kabjor maron an Senior Dri Jerbal lo Monkut weto rainin.

Kin menin, enwot ke Ri-Abnono eo im Ri-Jumae Abnono rej juon wot, inem ejimwe im jejjot ekkar non Mantin Majol im lajrak ko ilo Mani bwe ren lale dron im kautej dron einwot ke Mani eo in. Panel in ej kile bwe aaleb party kein ewor aer maron ion Monkut enwot ilo lajrak ko aer. Eo ej kabjor maron ej aikuj lale aaleb ro uwaan nukin ak bwij eo einwot ke rej juon wot im weto in ej aer jimor ilo lajrak ko emoj an EO Rikomanman kolajraki.

Raan: 10/16/2019



Acting Presiding Judge, Grace Leban



Associate Judge, Nixon David



Pro Tem Associate Judge, Milton Zackios