

Salii v. House of Delegates, 3 ROP Intrm. 363 (Tr. Div. 1988)
CARLOS H. SALII, et al.,
Plaintiffs,

v.

HOUSE OF DELEGATES, OEK
and HERSEY KYOTA, Chief Clerk,
Defendants.

CIVIL ACTION NO. 160-88

Supreme Court, Trial Division
Republic of Palau

Order and declaratory judgment
Decided: June 29, 1988

NGIRAKLSONG, Associate Justice:

Pursuant to the opinion entered on June 28, 1988:

IT IS ORDERED that defendants' motion to dismiss this matter for lack of justiciability and separation of powers doctrine is denied;

IT IS FURTHER ORDERED that defendants' motion to dismiss all the defendants is granted only with respect to all defendants who are members of the House of Delegates;

IT IS FURTHER ORDERED that defendants' motion to dismiss Hersey Kyota, Chief Clerk of the House, is denied;

IT IS FURTHER ORDERED AND ADJUDGED that the rights of the parties are as follows: House Resolution No. 02-0080-20S expelling Carlos Salii was adopted in derogation of Salii's constitutional right to a notice and an opportunity to be heard. Accordingly, House Resolution No. 02-0080-20S is hereby declared null and void.