Alaska's Constitutional Crisis Implicates Presiding Judge William Morse

IN THE COURT OF APPEALS OF THE STATE OF ALASKA

DAVID HAEG, Appellant,

v.

STATE OF ALASKA, Appellee.

) Court of Appeals No. **A-13501**

Trial Court No. **3KN-10-01295 CI**

APPELLANT'S REPLY BRIEF

Appeal from a final judgment of the Superior Court
Third Judicial District at Anchorage
Presiding Judge William Morse

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I have personally written this document and swear it is true under penalty of perjury:

David S. Haeg Date January 2, 2020

Filed in the Alaska Court of Appeals on: January 15, 2020

By: Sarah E. Anderson
Deputy Clerk

OVERVIEW

In 2004 the State of Alaska approached me (as a master big game guide and commercial bush pilot) and claimed it needed my expertise to ensure the success of their controversial Wolf Control Program. State officials gave me a permit to shoot wolves from the air, told me where to shoot them, and then prosecuted and convicted me of shooting wolves inside my guide area to benefit my guide business - even though the state's own GPS coordinates proved this was false and proved I shot them specifically where the state told me to. The resulting prison sentence, airplane forfeiture, fines, and revocation of my guide license destroyed the business which was the sole means by which my wife Jackie and I provided for our two baby daughters.

A tape-recording obtained years after my conviction captured DA Scot Leaders and Trooper Brett Gibbens discussing, prior to trial, how and why they falsified the trial map and trial testimony they used to convict me. Evidence was obtained that Judge Margaret Murphy was chauffeured by Trooper Gibbens everywhere she went during my week-long trial and that at this time she removed my evidence (proving I killed the wolves where the state told me to) out of the court record before my jury could see it. Evidence was obtained that Marla Greenstein, the only investigator of Alaska judges for the past 30 years, falsified an official investigation to cover up for Judge Murphy and Trooper Gibbens. Evidence was obtained that my attorneys were threatened and outright harmed to keep them from protesting - and that this led them to lie to me when I repeatedly asked what could be done. Evidence of a cover up since has continued to expand, implicating numerous officials and agencies, including this court of appeals - who has falsified facts and sworn affidavits in an attempt to keep the facts from being exposed.

Presiding Judge William Morse, whose specific conduct this appeal concerns: (1) assigned himself to my case without disclosing he was friends with my trial attorney Arthur

Robinson (who this court ordered I must prove ineffective/committed malpractice); (2) issued a written order that I could not depose Robinson because he was *"deceased"* (when in fact Robinson was, and still is, alive and well); (3) presided over a hearing where I was tased and imprisoned (video on Facebook/YouTube) for trying to present the false trial map and tape-recording of DA Leaders and Trooper Gibbens discussing, before trial, how and why they falsified it to convict me; (4) after I found out about his friendship with Robinson and motioned to disqualify him for this, refused to have his denial of my motion reviewed by an independent judge - as required by state statute; and (5) ruled Robinson was effective and I had a fair trial.

Alaska's Deputy Attorney General John Skidmore (DA Leaders supervisor) is the most recently implicated, with direct proof that he illegally and unconstitutionally stopped a grand jury who started investigating the above (see Alaska constitution, Article 1, Section 8: *"The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."*) and then lied to state legislators to cover up his crime. Skidmore is tape-recorded telling legislators he stopped the grand jury because it never claimed it was investigating systemic corruption concerning public safety/welfare – when the grand jury and Judge Jennifer Wells are tape-recorded specifically telling him exactly that. As longtime Alaskan attorney Dale Dolifka testified after reviewing all the evidence:

"Your case has shades of Selma in the 60's, where judges, sheriffs, & even assigned lawyers were all in cahoots together. You have an appeals court sitting there looking at a pile of dung & if they do right by you & reveal you know you have the attorneys going down, you have the judges going down, you have the troopers going down. I walked over here & attorney A says 'My god they're violating every appeal rule ever. How can it be like this?' It's absolute, unadulterated, self-bred corruption that will get worse until the sleeping giant wakes up." [R.1970-86]

There is a cancer growing on Alaska's judicial system. And if the cancer is not removed, Alaska's judicial system itself will be destroyed by it.

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Constitutional Rights

U.S. Constitution, **4th Amendment** *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

U.S. Constitution, **5th Amendment** *No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

U.S. Constitution, **6th Amendment** *In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.*

U.S. Constitution, **14th Amendment** *No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

Alaska Constitution, Article 1, Section 1. Inherent Rights *This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State.*

Alaska Constitution, Article 1, Section 7. Due Process *No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.*

Commentary: Here the famous "due process" clause of the Fourteenth Amendment of the Bill of Rights is enshrined in the Alaska Constitution. Through decades of decisions, the courts have given this clause a very broad and expansive meaning. It does not simply mean that a legislative body must pass a law before it may deprive someone of life, liberty, or property. It means that no government agency may treat a person arbitrarily or unreasonably. "Due process" demands justice and fair play at the hands of authority.

Alaska Constitution, Article 1, Section 8. Grand Jury *The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.*

Commentary: Grand juries may investigate crime, particularly cases of white-collar crime and political corruption where no victim is available to help police conduct an investigation. Investigative grand juries might also study the operation of public offices and institutions, for example, the condition of jails or mental hospitals. This type of grand jury still functions in many states, including some of those which have dropped the indicting grand jury. Delegates to the Alaska constitutional convention thought highly of the investigative grand jury, and assured its continuation in Alaska through the last sentence of this section.

Alaska Constitution, Article 1, Section 9. Jeopardy and Self-Incrimination *No person shall be put in jeopardy twice for the same offense. No person shall be compelled in any criminal proceeding to be a witness against himself.*

Commentary: Constitutional protection from double jeopardy bars a prosecutor from repeatedly prosecuting a person for the same alleged offense. In the words of the Alaska Supreme Court: "The double jeopardy clause protects against a second prosecution for the same offense after acquittal; it protects against a second prosecution for the same offense after conviction; and it protects against multiple punishments for the same offense" (Calder v. State, 619 P.2d 1026, 1980).

Alaska Constitution, Article 1, Section 11. Rights of Accused *The accused is entitled to be informed of the nature and cause of the accusation; to be released on bail, except for capital offenses when the proof is evident or the presumption great; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.*

Commentary: The right of an accused person "to have the assistance of counsel for his defense" protects a defendant from an unjust conviction that may result from a lack of understanding of the law and the workings of the judicial system. Without assistance of counsel, "even the intelligent and educated layman . . . may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a

perfect one" (Alexander v. City of Anchorage, 490 P.2d 910, 1971). The courts have said that this representation may not be perfunctory: "The mere fact counsel represents an accused does not assure this constitutionally guaranteed assistance. The assistance must be 'effective' to be of any value" (Risher v. State, 523 P.2d 421, 1974).

Alaska Constitution, Article 1, Section 14. Searches and Seizures *The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.*

Commentary: Evidence which has been seized unreasonably may not be used in court. This is the "exclusionary" doctrine that has thwarted many criminal convictions. The doctrine is not meant to protect against conviction of innocent people; it is rather, in the words of the Alaska Supreme Court, "a prophylactic 32 Article I device to curb improper police conduct and to protect the integrity of the judicial process" (Moreau v. State, 588 P.2d 275, 1978).

Cases

Alaska Statutes

Court Rules

Judicial Canons

Other

AUTHORITIES PRINCIPALLY RELIED UPON

I primarily rely on the United States and Alaska constitutions, including, but not limited to the rights: (a) to due process; (b) that no state shall deprive any person of life, liberty, or property without due process of law; (c) that no state shall deny to any person within its jurisdiction the equal protection of the laws; (d) to assistance of counsel free from conflicts of interest; (e) against self-incrimination; (f) against unreasonable searches and seizures; (g) that no warrants shall issue but upon probable cause, supported by oath or affirmation; (h) against a state threatening to harm private defense attorneys if they defend the rights of their clients to the full extent of the law; and (i) to protect citizens against corrupt judges, troopers, prosecutors, attorneys, investigators, and those who oversee them.

EVIDENCE AND ARGUMENT REFUTING THE STATE'S CLAIMS

1. The state claims (page 17) **Kingery v. Barrett 249, P.3d 275 (AK 2011)** proves that Judge Morse wasn't required by law to have an independent judge review his denial of my motion to disqualify him because of his admitted friendship with Robinson – who this court of appeals ruled I must prove guilty of ineffectiveness/malpractice. Even though he was told he must do so in order to require an independent judge review under **AS 22.20.020(c)**, Kingery never filed a motion to disqualify his judge for cause. I, on the other hand, filed a motion to disqualify Judge Morse for cause and Judge Morse denied my motion [Tr.171] – thus **AS 22.20.020 (c)** required Judge Morse, *by law*, to have an independent judge review his denial. Judge Morse admitted, on record, that he knew that Alaska law required a disqualification denial to be reviewed by an independent judge [Tr.423] – proving he intentionally violated the law.

As this court of appeals specifically stated in your decision (page 11) remanding my case: *Under Alaska law, when a judge denies a motion to recuse, the judge's decision is automatically subject to immediate review by the next highest court. See **AS 22.20.020(c)** (providing that "[i]f a judicial officer denies disqualification the question shall be heard and determined by another judge assigned for the purpose by the presiding judge of the next higher level of courts or, if none, by the other members of the supreme court.").*

In other words, the state is falsifying facts to cover up the fact that Judge Morse illegally - and without authority, power, or jurisdiction to do so - conducted and decided my case.

State v. T.M., 860 P.2d 1286 (AK 1993) *[W]hen a statute or rule specifies a limit on the court's power… the court has no power to act outside this. The rule is the same in civil cases.*

2. The state never refutes my claim that Judge Morse corruptly waited for 19 months after assigning himself to my case (in which time he crippled my ability to prove the case against Robinson – see below) before announcing he was friends with Robinson This is clear evidence that Judge Morse assigned himself to my case so he could protect his admitted friend Robinson.

AS 22.20.020 (b) *A judicial officer shall disclose, on the record, a reason for disqualification …at the commencement of a matter in which the judicial officer participates.*

Alaska Code of Judicial Conduct: Canon 3. A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently. E. Disqualification. *Unless all grounds of disqualification are waived as permitted by Section 3F, a judge shall disqualify himself or herself in a*

proceeding in which the judge's impartiality might be reasonably questioned…**Commentary.** *A judge should disclose on the record information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification….as soon as practicable.*

3. The state claims (page 22) it was *"harmless"* when Judge Morse issued a written order that I could not depose Robinson because Robinson was *"deceased"* [R.3171] – when in fact Robinson was, and still is, alive and well. It is universally acknowledged that depositions are critical to make an effective case. Depositions, among other things, allow you to build evidence with which to impeach a witness at the subsequent hearing. Judge Morse corruptly took this advantage away from me. See **Alaska Rules of Civil Procedure, Rules 27, 28, 30, 30.1, 31, and 32** – all of which concern depositions and their importance. This is additional evidence that Judge Morse assigned himself to my case so he could protect his admitted friend Robinson.

4. The state claims (page 16) Judge Morse wasn't good enough friends with Robinson that it mattered. Yet Judge Morse testified he goes out drinking beer with Robinson [Tr.169-71]. Then they started joking about a sports rivalry they apparently have. Robinson: *"My Warriors won last night even though I missed the game."* Judge Morse: *"Don't rub it in."* [Tr.376]

Lacher v. Lacher, 993 P.2d 413 (AK 1999) *[A] judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned…*

Withrow v. Larkin, 421 U.S. 35 (U.S. Supreme Court 1975) *A fair trial in a fair tribunal is a basic requirement of due process. Circumstances and relationships must be considered. This Court has said, however, that 'Every procedure which would offer a possible temptation to the average man as a judge . . . not to hold the balance nice, clear, and true between the State and the accused denies the latter due process of law.' Such a stringent rule may sometimes bar trial by judges who have no actual bias and who would do their very best to weigh the scales of justice equally between contending parties. But, to perform its high function in the best way, 'justice must satisfy the appearance of justice.'*

Alaska Code of Judicial Conduct: Canon 2. A Judge Shall Avoid Impropriety & the Appearance of Impropriety. *The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge's ability to carry out judicial responsibilities with integrity, impartiality, & competence is impaired.*

5. The state claims (page 23) I am wrong that Judge Morse corruptly excluded deceased witness testimony. The state claims the testimony didn't comply with the **Evidence Rule 804(b)(1)** because the state didn't have a chance to cross-examine the witnesses while they were

still alive. Yet all the witnesses whose testimony Judge Morse excluded had testified, while they were still alive, in sworn proceedings where the state could cross-examine them. Thus **Rule 804(b)(1)** was complied with. Testimony from long-time Alaskan attorney Mark Osterman, during the hearing on whether I could represent myself, that Judge Morse corruptly excluded:

"It's the biggest sellout I've ever seen…you [Haeg] didn't know Cole and Robinson were goanna load the dang dice so the state would always win. Scot Leaders stomped on your head with boots…he violated all the rules & your attorney allowed him, at that time, to commit all these violations" [R.174-263]

Judge Morse corruptly excluded the testimony from Alaska State Trooper Wendel Jones – who testified during my sentencing and testified that he witnessed Trooper Gibbens chauffeuring Judge Murphy continuously during my prosecution. Trooper Jones also testified that Greenstein falsified her official report into the chauffeuring – by falsify claiming to have contacted him and by falsifying the testimony he would have given had she contacted him. [R.1005-76]

6. The state claims (page 18) that the record contains no evidence that Judge Jennifer Wells continued the proceedings in my case until after my out-of-town work season was over in December. Yet the state itself admitted that on May 16, 2017 Judge Wells issued a written order that was placed into the record of my case [R.3501], stating:

"Because this case involves an assessment of Judge Murphy's credibility, there is a potential appearance of impropriety. This became fully apparent to me after the status hearing held on May 12, 2017. I hereby vacate any orders entered on that day, except the ministerial unopposed order to continue substantive hearings until after Mr. Haeg's work season is over in December."

On May 12, 2017 the state itself agreed to *"continue"* proceedings in my case until December. [R.3300-05] This is disputed now because Judge Morse ruled it was *"unreasonable"* for me to have relied on Judge Wells order and to not have made arrangements to preempt him within 5-days of him assigning himself to my case on June 14, 2017. On this date I was out of town working 7 days a week up to 18 hours a day paving roads without access to internet, mail, or a computer. I didn't even find out Judge Morse assigned himself to my case until after the 5-day limit for protesting was past. As soon as I found out and could so, I filed (on July 5, 2017) an affidavit to preempt him - because people following my case told me Judge Morse was thoroughly corrupt. These individuals have a Facebook page *"Vote Judge Morse Out"*. When

my preempt was ruled untimely, I filed a motion for reconsideration – citing the fact that I was out of town, would not know if anything happened in my case, and was relying on Judge Wells order continuing proceedings until December. Judge Morse denied my motion – ruling it was unreasonable for me to have relied on Judge Wells' order.

The state is now lying about there being no evidence of Judge Wells' order in the record – to explain Judge Morse's ruling it was unreasonable for me to have relied upon her order.

AS 22.20.022. Peremptory Disqualification of a Judge. ***(a)*** *If a party or a party's attorney in a district court action or a superior court action, civil or criminal, files an affidavit alleging under oath the belief that a fair and impartial trial cannot be obtained, the presiding district court or superior court judge, respectively, shall at once, and without requiring proof, assign the action to another judge of the appropriate court in that district, or if there is none, the chief justice of the supreme court shall assign a judge for the hearing or trial of the action. The affidavit must contain a statement that it is made in good faith and not for the purpose of delay.* ***(b)*** *A judge or court may not punish a person for contempt for making, filing, or presenting the affidavit provided for in this section, or a motion founded on the affidavit.* ***(c)*** *The affidavit shall be filed within five days after the case is at issue upon a question of fact, or within five days after the issue is assigned to a judge, whichever event occurs later, unless good cause is shown for the failure to file it within that time.*

To many, my being out of town working 7 days a week without internet or mail and relying on Judge Wells order is *"good cause…for the failure to file it within that time."*

7. The state does not refute my claim and evidence that Judge Morse is intentionally falsifying numerous sworn affidavits (attached to my opening brief – each a separate felony) to cover up evidence that he had me illegally tased, assaulted, and imprisoned for trying to present evidence proving systemic corruption within Alaska's judicial system. (See video of December 18, 2017 tasing and assault on Facebook and YouTube under *"Alaska, State of Corruption".)*

Judge Morse is continuing to falsify sworn pay affidavits so he will be paid while not deciding, after 6 months, my 2-21-19 Motion to Compel Discovery [R.3698-3699] – which I need to find out why he had troopers tase and imprison me when I tried to present the evidence of systemic judicial corruption – see below attached evidence. Evidence I was kept from presenting included: (1) a copy of the map used against me at trial: (2) a tape-recording of DA Scot Leaders and Trooper Brett Gibbens discussing, prior to trial, how and why they had falsified the map to convict me at trial; (3) transcriptions, affidavits, and tape-recordings (certified and put together by Superior Court Judge Stephanie Joannides) proving that Marla

Greenstein (Alaska Commission on Judicial Conduct's only judge investigator for the last 30 years) is falsifying official investigations to cover up for corrupt judges; (4) certified documents from judge investigator Greenstein herself – proving she is falsifying certified documents to cover up her corrupt judge investigations; (5) affidavits and court documents proving this court of appeals is falsifying sworn affidavits and other official documents to keep the forgoing corruption covered up; (6) tape-recordings and sworn testimony proving private defense attorney are being threatened and outright harmed so they don't protest the forgoing corruption; (7) certified evidence that the entities tasked with addressing the forgoing corruption (Bar, Department of Law, Trooper Internal Affairs, etc, etc) are covering up the corruption instead of investigating and prosecuting it, (8) see my opening brief and evidence attached to this brief for other issues. Also, *"2019 Important Information"* at www.alaskastateofcorruption.com.

When I filed my opening brief Judge Morse had only falsified 3 sworn affidavits to cover up the corruption. Since, he has falsified 6 more – making it a total of 9 separate felonies.

AS 22.10.190 *A salary disbursement may not be issued to a superior court judge until the judge has filed with the state officer designated to issue salary disbursements an affidavit that no matter referred to the judge for opinion or decision has been uncompleted or undecided by the judge for a period of more than six months.*

AS 11.56.200. Perjury (a) *A person commits the crime of perjury if the person makes a false sworn statement which the person does not believe to be true. Perjury is a class B felony.*

8. The state claims (pages 19-20) Judge Morse didn't have troopers illegally tase, assault, and imprison me for trying to present the forgoing evidence of corruption. Proof he illegally did: after 2.5 million people on Facebook watched him have me tased, assaulted, and imprisoned for trying to present the evidence, Judge Morse reversed his order prohibiting me from presenting it - and allowed me to present it during the January 28/29, 2019 evidentiary hearing – without having me tased, assaulted, or imprisoned. In fact, Judge Morse asked for his own copy of the CD capturing DA Leaders and Trooper Gibbens discussing, before trial, about how and why they falsified their trial evidence and testimony to convict me. [Tr.496-500] I gave Judge Morse this CD [R.3702-03] Judge Morse also wanted a copy of the partial recording the state first gave us – that had the part incriminating DA Leaders and Trooper Gibbens removed. [Tr.496-500] I also gave this to Judge Morse. [R.3700-01] Yet Judge Morse never mentions these recordings.

See evidentiary hearing testimony excerpts attached to the end of this brief – which would have never occurred without my standing up for my right to present it. The video of Judge Morse having me tased has just started airing nationwide on Dan Abrams' show *"Court Cam"* – meaning many more people will now see exactly how corrupt Alaska's courts really are.

9. The state claims (page 20) I took no action after Judge Morse had me illegally tased and imprisoned. This is false. On March 3, 2018 I filed this discovery motion with Judge Morse:

I was tased 10 times in Anchorage Superior Court to stop me from presenting evidence of government collusion, corruption, conspiracy, and cover-up in this case. Senator Peter Micciche asked for an investigation into this.

I hereby ask for complete and ongoing discovery in this matter – including but not limited to: (1) names, positions, and employers of all those with knowledge or involvement before, during, or after this incident, along with what their knowledge and/or involvement is/was; (2) a copy of any and all documentation and/or recordings before, during, and after this incident – including copies of the pictures taken, while I was imprisoned, of the wounds I received during this incident; (3) the make, model, and number of tasers and/or other devices used during the incident; (4) a complete copy of the investigative report into this incident – including to whom it was made available; and (5) any and all action, including disciplinary and/or promotional, taken as a result of this incident. [R.3698-99]

On March 6, 2018 I received a written notice that my discovery request would be forwarded to the Anchorage District Attorney's office. I waited for nearly a year for a response that never came. On February 21, 2019 I filed, again with Judge Morse, another Motion for Order to Compel Discovery. I stated this in my second discovery request:

On 3-3-18, in a detailed written request, I asked the State of Alaska for complete and ongoing discovery in regard to their tasing me numerous times and imprisoning me for trying to present evidence of State government collusion, corruption, conspiracy, and cover up in this case. In this request I also asked for the results of the independent investigation Senator Peter Micciche asked be conducted in regard to my tasing and imprisonment.

On 3-6-18 I received a written notice from the State that my discovery request would be given to the Anchorage District Attorney's office.

It is now nearly a year later without any discovery, or even any communication, from the State. In light of this failure, I hereby ask for a court order compelling the State to provide me the requested discovery. See ***Civil Rule 37 Failure to Make Disclosure or Cooperate in Discovery: Sanctions*** *(a) Motion for Order Compelling Disclosure or Discovery.*

Motive

On 1-28/29-19 an evidentiary hearing was held in this case. After Judge William Morse first ordered that I could not present evidence (the same evidence the State tased and imprisoned me for trying to present), he reversed his order and allowed me to present both physical evidence and witness testimony on the formerly barred issues.

This evidence and testimony, none of which was refuted by the State attorneys defending the State, showed that (1) the only investigator of State judges for the last 30 years is falsifying official investigations to cover up for corrupt judges; (2) State judges are corruptly removing valid evidence out of the official court record to help the State frame defendants; and (3) State prosecutors are conspiring with State Troopers to manufacture false evidence before trial and then, knowing the evidence is false when presented, giving the evidence to a jury to obtain corrupt convictions.

It is clear the State had a very powerful motive to keep me from ever presenting this evidence. It is clear they now have a very powerful motive to not provide discovery on the facts of why they tased and imprisoned me when I tried to do so. It is disturbing that it is now proven that I had a right to present the evidence that I was tased and imprisoned for trying to present. It is more than disturbing that I had to be tased (viewed by several million people on Facebook) and imprisoned before Judge Morse and the State would allow me to present the evidence. Is justice in Alaska reserved only for those willing to be tased and imprisoned in order to present the evidence proving their innocence? [R.3698-99]

In the 10 months since filing this motion with Judge Morse he has failed to rule on it – but every two weeks has continued to illegally swear out affidavits that he has decided everything that has been presented to him for a decision in the last 6-months.

10. The state claims (page 2) that the trial court, and not a court of appeals, *"performs the function of judging the credibility of witnesses and weighing conflicting evidence."* This is true only if the judge has not corruptly assigned himself to the case so he can protect his admitted friend - and then illegally kept himself there so he can protect his friend from being found guilty.

<u>Shaw v. State,</u> 816 P2d 1358 (AK 1991) *[A] convicted criminal defendant must obtain post-conviction relief as a precondition to maintaining a legal malpractice claim against his or her attorney. [T]he legal standards for ineffective assistance of counsel.. and for legal malpractice in this action are equivalent.*

11. The state does not dispute that Judge Morse never ruled on a main issue remanded by this court of appeals – if Robinson was ineffective for *"failing to properly advise Haeg"* (page 3).

First, Robinson never told me about DA Leaders' discovery violation. In direct violation of Robinson's specific pretrial discovery request for a copy of these items before trial, DA

Leader never provided Robinson a copy of the map used against me at trial or a copy of the tape-recording capturing DA Leaders and Trooper Gibbens discussing how they falsified the map to make it corruptly appear as if the wolves were illegally killed in my GMU 19C guide area instead of exactly where the state told me to kill them. [Tr.174-75] In addition, the tape-recording proved that DA Leaders solicited, and Trooper Gibbens provided, sworn trial testimony that they both knew was false at the time it was given. [Tr.376-84] In other words, by failing to properly advise me Robinson allowed me to be outright framed. Robinson's testimony after being given copies of the map and tape-recording:

"Since I was not provided a map copy, so I could check it for accuracy, I cannot be blamed for the jury's use of this map to convict Mr. Haeg and I cannot be blamed for Judge Murphy's use of the map's falsified GMU 19-C/19-D boundaries to sentence Mr. Haeg. Since I was not provided a tape-recording copy prior to trial or during trial, I did not know there was evidence of an intent to falsify the location of where the wolves were taken. Because of Mr. Leaders failure to abide by my discovery request this evidence was withheld and I only found out about it many years after trial." [R.3145 & 3170]

When I asked what he would have done had DA Leaders provided the required discovery:

"I would have argued you didn't get a fair trial because they were using false evidence to convict you. I could have proved they were intentionally lying at trial. And you would have had evidence of their motive to do so." [R.3145 & 3170]

AS 11.56.610. Tampering With Physical Evidence. *(a) A person commits the crime of tampering with physical evidence if the person (1) destroys, mutilates, alters, suppresses, conceals, or removes physical evidence with intent to impair its verity or availability in a official proceeding or criminal investigation; (2) makes, presents, or uses physical evidence, knowing it to be false, with intent to mislead a juror who is engaged in an official proceeding or a public servant who is engaged in an official proceeding or a criminal investigation; (b) Tampering with physical evidence is a class C felony.*

AS 11.56.200. Perjury. *(a) A person commits the crime of perjury if the person makes a false sworn statement which the person does not believe to be true…. (c) Perjury is a class B felony.*

Napue v. Illinois, 360 U.S. 264 (U.S. Supreme Court 1959) *Conviction obtained through use of false evidence, known to be such by representatives of the State, is a denial of due process.*

Mesarosh v. U.S., 352 U.S. 1 (U.S. Supreme Court 1956) *[T]he dignity of the U.S. Government will not permit the conviction of any person on tainted testimony. The government*

of a strong and free nation does not need convictions based upon such testimony. It cannot afford to abide with them.

Mooney v. Holohan, 294 U.S. 103 (U.S. Supreme Court 1935) *Requirement of 'due process' is not satisfied by mere notice & hearing if state, through prosecuting officers acting on state's behalf, has contrived conviction through pretense of trial which in truth is used as means of depriving defendant of liberty through deliberate deception of court & jury by presentation of testimony known to be perjured.*

Giles v. Maryland, 386 U.S. 66 (U.S. Supreme Court 1967) *The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, [is] implicit in any concept of ordered liberty…*

Giglio v. United States, No. 70-29 (U.S. Supreme Court 1972) *As long ago as Mooney v. Holohan, this Court made clear that deliberate deception of a court and jurors by the presentation of known false evidence is incompatible with 'rudimentary demands of justice.'*

Brady v. Maryland, 373 U.S. 83 (U.S. Supreme Court 1963) *We hold that the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.*

Second, Robinson testified that my only defense during my trial and on appeal was that the court did not have subject-matter jurisdiction because DA Leaders did not swear an affidavit to the charging information. [R.123 & Tr.227-56] Yet subject-matter jurisdiction is set by state statute and **AS 22.15.060** states this:

AS 22.15.060 Criminal Jurisdiction. (a) *The district court has jurisdiction **(1)** of the following crimes: **(A)** a misdemeanor*

Since I was charged in district court with misdemeanors it is irrefutable that the court had subject-matter jurisdiction - no matter what DA Leaders did or did not do.

Robinson testified that he told me the U.S. Supreme Court cases **Albrecht v. United States, 273 U.S. 1 (U.S. Supreme Court 1927)** and **Gerstein v. Pugh, 420 U.S. 103 (U.S. Supreme Court 1975)** supported the defense that Leaders not swearing an affidavit to the charging information deprived the court of subject-matter jurisdiction. [Tr.236] Both these cases concern pretrial arrest/detention and *"personal"* jurisdiction exclusively – *and have nothing at all to do with "subject-matter" jurisdiction.* Second, both hold that a prosecutor not swearing an affidavit to the charging information does *not* invalidate a court's jurisdiction over a defendant.

Robinson told me that the subject-matter defense "would no doubt win" [R.3196] and not to bring up defenses other than subject-matter jurisdiction, as this would *"waive"* subject-matter jurisdiction. [Tr.514-564] Yet subject matter jurisdiction *cannot* be waived. (See **Cornell Law School, Subject-Matter Jurisdiction:** "*While litigating parties may waive personal jurisdiction, they cannot waive subject-matter jurisdiction."*)

Proof that Robinson relied solely on the subject-matter defense all through trial and into appeal is the fact that his sole appeal issue was subject-matter. [R.172-73]

Finally, when the state deposed him, *Robinson testified under oath that he knew the subject matter defense was invalid - while telling me it was my only defense.* [Rob. Dep.10-11]

So for a defense that he knew at the time was absolutely no good, Robinson had me sacrifice all other valid defenses. This is exactly like your doctor giving you a pill for a deadly infection – and telling you for the pill to work you must not take any antibiotics or penicillin. And, when you ask for proof the pill is good, your doctor giving you bogus proof. And when you start investigating yourself, finding out the pill is nothing but sugar. And finding out your doctor admitted he knew all along it was nothing but a sugar pill. In other words to make sure you would die, your doctor gave you something he knew wouldn't cure the infection - and to ensure you didn't take any antibiotics or penicillin that might save you (as you instinctively would if a doctor didn't tell you different), telling you that this would jeopardize his miracle pill.

12. The state claims (page 14) that Robinson *"had not thought of a better defense strategy in the years since trial."* This is not true. Robinson's testimony many years after trial:

"Since I was not provided a map copy, so I could check it for accuracy, I cannot be blamed for the jury's use of this map to convict Mr. Haeg and I cannot be blamed for Judge Murphy's use of the map's falsified GMU 19-C/19-D boundaries to sentence Mr. Haeg. Since I was not provided a tape-recording copy prior to trial or during trial, I did not know there was evidence of an intent to falsify the location of where the wolves were taken. Because of Mr. Leaders failure to abide by my discovery request this evidence was withheld and I only found out about it many years after trial." [R.3145 & 3170]

When I asked what he would have done had DA Leaders provided the required discovery:

"I would have argued you didn't get a fair trial because they were using false evidence to convict you. I could have proved they were intentionally lying at trial. And you would have had evidence of their motive to do so." [R.3145 & 3170]

13. The state never disputes Judge Morse corruptly ruled it was my duty to inform Robinson about the *"alleged errors during the trial."* First, the tape-recording of DA Leaders and Trooper Gibbens proves their conspiracy was no *"error"*. It was intentional evidence and testimony falsification meant to frame me, put me in prison for 2 years, and give the state my family's guide business, lodge, out buildings, runway, airplane, and $20,000 in fines. Second, I didn't find out about it until many years after my trial/conviction – because DA Leaders violated a discovery request to keep me from finding out. Third, it was Robinson's duty, who Jackie and I paid about $30,000 to defend me, to discover these *"errors"* – by obtaining a copy of the false map before trial (especially after he filed a pretrial discovery request for it), a copy of the tape-recording capturing Leader/Gibbens discussing how/why they falsified it (which he had also filed a pretrial discovery request for), and/or to figure out I was being framed. At the time of trial I knew nothing about discovery, didn't even know Robinson had filed a discovery request (I only found out after I fired Robinson and obtained my file from him – in which was a copy of the discovery request he sent DA Leaders), and didn't even know DA Leaders had an obligation, even without a discovery request, to turn over anything that would prove I wasn't guilty:

Alaska Rule of Criminal Procedure 16. Discovery (b)(3) Information Tending to Negate Guilt or Reduce Punishment. *The prosecuting attorney shall disclose to defense counsel any material or information within the prosecuting attorney's possession or control which tends to negate the guilt of the accused as to the offense or would tend to reduce the accused's punishment therefor.*

14. Neither Judge Morse nor the state refutes that this court of appeals issued a fraudulent order to try to keep me from presenting my claims and evidence of corruption. This court of appeals ruled I didn't give enough briefing to be able to present evidence and have an evidentiary hearing on the corruption on DA Leaders, Trooper Gibbens, Judge Murphy, judge investigator Greenstein, and my own attorneys [R.3390-439], while ruling I gave enough briefing on the issue of Robinson not protesting Judge Murphy's use of the false evidence to sentence me. [R.3390-439] I carefully counted the briefing and found I had given you 25 pages of briefing on DA Leaders conspiring with Trooper Gibbens and my attorneys to manufacture false trial evidence (not counting a copy of the tape that captured Leaders and Gibbens discussing how and why they were doing this – which I also gave this court) [R.2762-2861] and

54 pages of briefing on Greenstein falsifying official investigations to cover up for Judge Murphy and Trooper Gibbens (not counting the 77 pages of additional evidence proving this that Judge Joannides put together and certified as true – which I also gave this court) . [R.2762-2861] *On the issue of Robinson not protesting Judge Murphy's use of false evidence to sentence me, I could not find a single word of briefing to this court* [See record] **-** *proving this court outright lied to cover up for DA Leaders, Trooper Gibbens, Judge Murphy, and investigator Greenstein.*

This court of appeals also stated in its order that I provided no evidence of corruption in DA Leaders, Trooper Gibbens, Judge Murphy, or judge investigator Greenstein. [R.3390-439] Yet the video of my oral argument to you [YouTube - David Haeg vs. State of Alaska] shows me presenting you the actual map used against me at trial (provided by the state at my request) and shows me pointing out to you how it had been falsified to convict me. The video then captures me explaining to you how DA Leaders and Trooper Gibbens tape-recorded themselves, prior to trial, discussing how and why they falsified the map to convict me. The court record proves I gave you a copy of this tape-recording. [R.2339] The record also proves I gave you evidence, certified as true by Judge Joannides, proving that judge investigator Greenstein is falsifying official investigations to cover up for corrupt judges. [R.3718-67]

Based on the forgoing, it appears this court of appeals has entered into a criminal conspiracy with DA Leaders, Trooper Gibbens, Judge Murphy, judge investigator Greenstein, Judge Morse, and others to steal, using the color of law, my freedom; my career; thousands in fines; the business on which both Jackie and I depended to provide for our daughters; and the airplane, lodge, and other property used to conduct that business. This court of appeals has my word a grand jury will look into this – along with those who will decide your punishment.

15. The state claims (page 21) the 10 hours Judge Morse gave me to conduct the evidentiary hearing was adequate – despite the fact I asked for 2 weeks and despite the fact that Judge Joannides ruled I was entitled to two full days on the sole issue of Trooper Gibbens chauffeuring Judge Murphy during my trial. [R.3575-87] Using Judge Joannides formula (2 days per issue), I should have had a 16-day evidentiary hearing, as I had 8 issues. Throughout the hearing Judge Morse told me to eliminate questions as I was running out of time. As a result a great many questions weren't asked that would have proven corruption and a number of witnesses, some of whom had personal knowledge of Trooper Gibbens chauffeuring my judge, were never called.

16. Neither the state nor Judge Morse ever refutes – or even mentions – 35-year Alaskan attorney Dale Dolifka's extensive sworn testimony at the evidentiary hearing. [Tr.408-52] Dolifka was the only attorney who testified about the quality of representation that Cole and Robison provided me. Dolifka testified that after he reviewed the entire court record of my prosecution, along with personally talking with Robinson, it was clear that both Cole and Robinson provided me with ineffective assistance of counsel. [Tr.412-8] (See also excerpt of Dolifka's testimony, attached at end of this)

17. The state claims (page 15) I was required to question Robinson about why he didn't protest when Judge Murphy specifically stated on the record that she was throwing the book at me because of evidence that Robinson knew at the time had been intentionally falsified by the state. Yet this court of appeals specifically stated in its remand order (page 44) that Robinson was to be questioned by the court itself about this issue:

"Accordingly, on remand, we direct the district court to have Robinson provide an explanation for why he did not challenge the apparent factual inaccuracies presented at sentencing, especially once it became clear that the judge was relying on these inaccuracies in imposing Haeg's sentence."

At a May 12, 2017 hearing, the state agreed that Robinson would be questioned on this issue by the judge conducting the evidentiary hearing. Now the state has changed their story.

This court of appeals claims the *"factual inaccuracies"* were presented at sentencing. [R.3390-439] They were in fact presented during my trial. [Tr.Rec.97-1035] The reason you falsified this: if Judge Murphy specifically used false evidence presented at trial to sentence me, exactly what did my jury use to convict me? The same false evidence – meaning my conviction is invalid. So you have again lied about facts to corruptly maintain my conviction. You have my word a grand jury will look into this – as will those who will punish you for corruption.
How strangely will the Tools of a Tyrant pervert the plain Meaning of Words! **Samuel Adams**

As Robinson testified under oath during the evidentiary hearing: *"In Alaska there is a good boy network of prosecutors, cops, and judges who protect their own."* [Tr.292]

18. The state claims (page 16) that Robinson never protested Judge Murphy's false evidence use because *"the error was most likely a mere slip that did not affect the judge's reasoning."* The error in question: whether I killed the wolves illegally in my guide area to benefit my guide

business or that I killed them legally exactly where the state told me to. The real reason Robinson never protested: the whole fame job would have come tumbling down – for it would have been proven I should have never been convicted in the first place. It would have been proven that Robinson had been working with DA Leaders, Trooper Gibbens, Cole, and Judge Murphy to frame me for something I didn't do.

19. Neither Judge Morse nor the state ever refutes my claim and evidence that my own highly-paid ($250 per hour - each) private defense attorneys, Cole and Robinson, conspired together to harm me. I gave Judge Morse a letter found in Robinson's file on me after I fired him and obtained access to it. [Ex. 8 & R.3946-47] The letter was from Cole to Robinson. In the letter Cole informed Robinson that Cole did not intend on complying with the subpoena I had Robinson serve Cole so Cole must testify at my sentencing. Robinson never told me about the letter and when Cole failed to turn up as subpoenaed Robinson told me there was nothing he or I could do about it. [R.3196] I now know that Robinson could have asked Judge Murphy to have Cole arrested and forced to testify in handcuffs. Testimony Cole would have provided (unless he exercised his 5th amendment right against self-incrimination): (1) the state was intentionally falsifying where the wolves were killed; (2) that he told me he could not protest that the state was falsifying where the wolves were killed (he absolutely could and should have done this); (3) that he told me it was not a legal defense that I killed the wolves exactly where the state told me to kill them (it is in fact a complete defense); (4) that he told me he could not protest the state's falsified search warrants/affidavits, used to search my home and seize the airplane and other property I used to provide for my family (he could and should have done this); (5) that I had already given up a guide year for a plea agreement that DA Leaders corruptly broke; and (6) that he was conspiring with the state against me because the state had threatened to harm him if he didn't. [ColeDep.1-179]

Alaska Criminal Rule 17(g) Subpoena Contempt. *Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued.*

In addition, because of Cole's subpoena violation I didn't even get credit for the guide year I gave up in reliance on the plea agreement that Cole made with DA Leaders, DA Leaders broke, and Cole said could not be enforced. The reason I could not be given credit: credit would

prove I was entitled to enforcement of the agreement with minor charges – proving my trial and conviction on the severe charges was invalid:

North Carolina v. Pearce, 395 U.S. 711 (U.S. Supreme Court 1969) *The basic Fifth Amendment guarantee against double jeopardy, which is enforceable against the States by the Fourteenth Amendment, is violated when punishment already exacted for an offense is not fully "credited". [T]he Constitution was designed as much to prevent the criminal from being twice punished for the same offence as from being twice tried for it. We hold that the constitutional guarantee against multiple punishments for the same offense absolutely requires that punishment already exacted must be fully "credited" in imposing sentence…*

Calder v. State, 619 P.2d 1026, (AK 1980) *The double jeopardy clause… protects against multiple punishments for the same offense.*

Closson v. State, 812 P.2d 966 (AK 1991) *Where an accused relies on a promise… to perform an action that benefits the state, this individual…will not be able to "rescind" his or her actions. … In the plea bargaining arena, the United States Supreme Court has held that states should be held to strict compliance with their promises. …courts consider the defendant's detrimental reliance as the gravamen of whether it would be unfair to allow the prosecution to withdraw from a plea agreement.*

This court of appeals ruled that Robinson didn't have to force Cole to testify because at the time of my sentencing Cole and I were *"engaged in a contentious fee arbitration"*. Yet this is provably false – my date-stamp fee arbitration application proves I filed arbitration against Cole over 5 months *after* I was sentenced. [Ex.2 & R.39922-25] You have my word a grand jury will look into this – as will those who decide how to punish you for corruption.

20. The state claims (page 14-15) I was not harmed by the plea agreement that Cole made for me, DA Leaders broke, and Cole/Robinson stated could not be enforced. The state claims I had no *"detrimental reliance"* on it that would require it to be enforced, that the plea negotiations did not disadvantage me during my later trial, and that if Cole/Robinson were ineffective for not enforcing it, all I am entitled to now is enforcement of the plea agreement.

For the plea agreement he told me I must make, Cole told me DA Leaders required me to put all wolf kill locations on DA Leaders/Trooper Gibbens' aeronautical map in an "interview" - and required that Jackie and I give up guiding for an entire year. [ColeDep.1-179] DA Leaders then broke the plea agreement (by changing agreed to and already filed charges to charges that were far more severe) after my "interview" and the guide year was past. [ColeDep.1-179] This

means Jackie and I had an entire year's income of *"detrimental reliance"* on the plea agreement – along with my giving evidence to DA Leaders and Trooper Gibbens.

DA Leaders and Trooper Gibbens then put false GMU boundaries on their map so my wolf kill locations now appeared to be in my GMU 19C guide area instead of where the state had told me to kill them. [Tr.376-84] When I refused to plead guilty to the severe charges and went to trial DA Leaders and Trooper Gibbens presented their falsified map to my jury as the reason I should be convicted. In other words, what occurred during plea negotiations harmed me immensely at my later trial – in exact opposition to the state's claim.

During the evidentiary hearing, the state agreed that during plea negotiations I put the wolf kill locations on the map that was used against me at trial. [Tr.405-07] Judge Morse ruled that during plea negotiations I placed the wolf kill locations on the map that was used against me at trial. [Tr.405-07] According to **Evidence Rule 410**, this means my trial is invalid:

Alaska Evidence Rule 410 Inadmissibility of Plea Discussions in Other Proceedings. (a) Evidence of a plea of guilty or nolo contendere, or of an offer to plead guilty or nolo contendere to the crime charged or any other crime, *or of statements or agreements made in connection with any of the foregoing pleas or offers, is not admissible in any civil or criminal action, case or proceeding against the government or an accused person who made the plea or offer if: (i) A plea discussion does not result in a plea of guilty or nolo contendere.*

In the charging information forcing me to trial, DA Leaders quoted statements *"David Haeg"* made during his plea negotiation *"interview"*. Robinson had me swear out an affidavit protesting this violation of **Evidence Rule 410**, which he filed with Judge Murphy and gave to DA Leaders in three different ways – courier and fax to DA Leaders office and by fax to the DA conference that DA Leaders was attending at the Alyeska Prince Hotel. [R.3948-58]

Judge Murphy and DA Leaders never did a thing about using my plea agreement statements and Robinson said there was nothing else he could do – so I ended up going to trial with Judge Murphy, DA Leaders, and Robinson all knowing it was unconstitutional and a sham.

After starting to figure out how I had been railroaded, I filed a Bar complaint against DA Leaders – claiming he knowingly violated **Evidence Rule 410** to convict me. He filed a verified response, stating he never used my interview against me and that the proof he didn't was that no one ever complained about it during my prosecution. [Ex.9-10 & Tr.334] I then provided the Bar the affidavit protest and the proof it had been delivered to DA Leaders - which proved that not

only had DA Leaders done what I claimed, he had now committed perjury to cover up. [Ex.9-10 & Tr.334] The Bar dismissed my complaint without even investigating. During the evidentiary hearing I provided Judge Morse with these documents proving DA Leaders committed perjury to cover up that he had illegally prosecuted me. [Ex.9-10 & Tr.334]

As to my only being entitled to enforcement of the plea agreement if Cole/Robinson were ineffective in not enforcing it, I am guaranteed to the effective assistance of counsel from the beginning of my prosecution, not to some plea agreement that should never been made in the first place by a corrupt attorney who in reality was working with the state to frame me.

Proving Robinson's corruption beyond doubt is the fact he unequivocally testified to Judge Morse that I never asked him to include DA Leaders' **Evidence Rule 410** violation in my points of appeal. [Tr.337-38] Immediately after Robinson's testimony I presented Judge Morse with a copy of my email to Robinson at the time he was actually writing my appeal points, asking exactly this. [Ex.11 & Tr.338] This means Robinson committed felony perjury in an attempt to cover up that he had sold me out, a client who paid him $30,000 for his counsel. In fact, Robinson only appealed the subject-matter jurisdiction defense [Ex.12 & Tr.338], – which he has now admitted (while under oath when the state deposed him) he knew was invalid from the very beginning. [Rob.Dep.10-11] With all this evidence in his hand, Judge Morse still ruled that his friend Robinson had given me effective assistance of counsel.

21. The state claims Robinson testified that he did not recall seeing Judge Murphy and Trooper Gibbens riding together in McGrath and claims that *"a reasonable judge could find Robinson credible when he said he was unaware of the alleged ex parte contacts".* It is true Robinson swore to this in the January 28/29, 2019 evidentiary hearing. Yet when confronted, Robinson admitted that on February 4, 2011 he was tape-recorded stating: *"I remember seeing Margaret [Judge Murphy] riding around with Trooper Gibbens in the trooper car…during your trial."*[Ex.13 & Tr.373] This is another example of Robinson committing perjury.

22. The state claims (page 8) the proof that Judge Murphy never rode with Trooper Gibbens is that I never raised it in my direct appeal. This is false. I did raise it there, and this court of appeals told me I must bring it up in a post-conviction relief proceeding. [Direct appeal]

23. The state claims (page 9) that I did not prove Judge Murphy would have been removed from my case had Robinson protested Trooper Gibbens' chauffeuring her during my trial. This is

false. When the state assigned Judge Murphy to my post-conviction relief proceeding, I filed a motion to disqualify her because of Trooper Gibbens chauffeuring her during my trial. Judge Murphy denied my motion and, as required by **AS 22.20.020 (c)**, had an independent judge (Superior Court Judge Stephanie Joannides) immediately review her denial. Judge Joannides removed Judge Murphy from my case (proving she would have been removed had Robinson protested) and ruled this concerning Judge Murphy being chauffeured by the main witness against me during my trial: ***"I found that, at a minimum, there was an appearance of impropriety,"*** [R.1282-84] Judge Joannides certified the evidence that Commission on Judicial Conduct investigator Marla Greenstein conspired with Judge Murphy and Trooper Gibbens to cover up the chauffeuring during my trial. [R.3719-67] Judge Joannides then sent this evidence to the Alaska Department of Law, Alaska Commission on Judicial Conduct, Alaska Judicial Council, and Alaska Ombudsman. [R.3719-67] Not a single entity investigated. See also Judge Joannides' certified evidence at www.alaskastateofcorruption.com.

24. Judge Morse and/or the state do not dispute that Judge Murphy intentionally falsified a sworn affidavit (felony perjury) stating that she never rode with Trooper Gibbens while she presided over my case – or dispute that Judge Murphy removed my evidence (proving I killed the wolves exactly where the state told me to) out of the official court record before my jury could see it. The state agrees the official court tape-recording of my prosecution captures Judge Murphy admitting she was being chauffeured by Trooper Gibbens during my prosecution – and admitting that she had no other transportation - because she flew into McGrath (population 300) to conduct my trial in an Iditarod Sled Dog Race checkpoint building. [Tr.472-73] Proof my evidence (proving I killed the wolves where the state told me to) was corruptly removed out of the official record is the fact the evidence's cover letter, proving the evidence had been properly admitted, remains in the official court record while the evidence itself is gone. [R.104]

25. The state claims (page 7) the proof that Judge Murphy never rode with Trooper Gibbens is that I *"would not have remained silent."* Both Jackie and I testified that I immediately informed Robinson about the chauffeuring and Robinson told us there was nothing he could do about it. [Tr.465-66] The real proof is that neither Judge Murphy nor Trooper Gibbens were brought in to testify the chauffeuring never happened – or to testify that Judge Murphy didn't remove my evidence (proving I killed the wolves where the state told me to) out of the official

court record before my jury could see it. Five separate witnesses testified they personally seen Judge Murphy riding with Trooper Gibbens every morning, noon, and night of my prosecution [Tr.452-566] Yet Judge Morse ruled they *"were not credible"* even though not a single witness testified otherwise. When I subpoenaed Judge Murphy to testify in person about her being chauffeured by Trooper Gibbens and destroying my evidence, she hired Peter Maassen (an Alaska Supreme Court justice) to successfully quash her subpoena. [R.1866-71]

26. Robinson testified under oath that *"Judge Murphy is a prosecution type judge and not the judicial independent type you are supposed to have."* [Rob.Dep.204]

27. The state claims (page 14) that Robinson never recommended I go to trial and nothing indicated the plea agreement could be enforced. Robinson testified he never recommended I go to trial and testified nothing indicated my plea agreement could be enforced. [Tr.173-339] Yet Robinson's own written billing statement to me at the time states: *"Recommend David go to trial."* [R.3150] And when I fired Robinson and got my file, I found a written note from Joe Malatesta (Robinson's private investigator who, at my insistence, investigated the plea agreement) to Robinson stating: *"don't forget to motion on the DA backing out of the original offer"* [Ex.7 & Tr.309] In the tape-recording that Malatesta made of his conversation with Cole, Cole admitted I had an enforceable plea agreement that DA Leaders broke so Leaders could try forcing me to give him our business airplane. [R.61-64]

28. The state does not dispute that Judge Morse corruptly failed to address the testimony from my attorneys that the state threatened to harm (an actually did harm) them if and when they tried protest the forgoing – and that this led them to lie to me and not protest that the state was illegally and unconstitutionally prosecuting me. [R.1970-86, 2839-45, 3195, & 3575-87]

Anders v. California, 386 U.S. 738 (U.S. Supreme Court 1967) *[Defendant] has a right to an attorney who wants to protect the defendant's 'rear end', not the attorney's.*

Cuyler v. Sullivan, 446 U.S. 335 (U.S. Supreme Court 1980) *[A] defendant who shows that a conflict of interest actually affected the adequacy of his representation need not demonstrate prejudice in order to obtain relief. An actual conflict of interest negates the unimpaired loyalty a defendant is constitutionally entitled to expect and receive from his attorney.*

Holloway v. Arkansas, 435 U.S. 475 (U.S. Supreme Court 1978) *[I]n a case of joint representation of conflicting interests, the evil -- it bears repeating -- is in what the advocate*

finds himself compelled to refrain from doing, not only at trial but also as to possible pretrial plea negotiations and in the sentencing process…to assess the impact of a conflict of interests on the attorney's options, tactics, and decisions in plea negotiations would be virtually impossible.

Osborn v. Shillinger, 861 F.2d 612 (10th Cir. 1988) *In fact, an attorney who is burdened by a conflict between his client's interests and his own sympathies to the prosecution's position is considerably worse than an attorney with loyalty to other defendants, because the interests of the state and the defendant are necessarily in opposition. [Defendant's] attorney didn't simply make poor strategic choices; he acted with reckless disregard for his client's best interests and, at times, apparently with the intention to weaken his client's case. Prejudice, whether necessary or not, is established under any applicable standard.*

Risher v. State, 523 P.2d 421 (Ak Supreme Court 1974) *Defense counsel … must conscientiously protect his client's interest, undeflected by conflicting consideration.*

Strickland v. Washington, 466 U.S. 668 (U.S. Supreme Court 1984) *[P]rejudice is presumed when counsel is burdened by an actual conflict of interest. In those circumstances, counsel breaches the duty of loyalty, perhaps the most basic of counsel's duties. Moreover, it is difficult to measure the precise effect on the defense of representation corrupted by conflicting interests.*

United States v. Cronic, 466 U.S. 648 (U.S. Supreme Court 1984) *Of all the rights that an accused person has, the right to be represented by counsel is by far the most pervasive for it affects his ability to assert any other rights he may have.*

Smith v. State, 717 P.2d 402 (Ak 1986) *We believe it self-evident that an indispensable component of the guarantee of effective counsel is the accused's right to be advised of basic procedural rights, particularly when the accused seeks such advice by specific inquiry. Without knowing what rights are provided under law, the accused may well be unable to understand available legal options and may consequently be incapable of making informed decisions.*

29. The state claims (page 5) my corruption claims are *"unfounded"*. The evidence is overwhelming – see the sworn testimony and evidence attached to the end of this brief. See also the evidence in the box *"2019 Important Information"* at www.alaskastateofcorruption.com.

30. The state claims (page 25) that I can appeal in federal court. This is untrue. To appeal a state conviction to federal court you must meet two requirements: (1) you must still be in prison or on probation. (2) you must have exhausted all state appeals. In 2015, 11 years after my conviction and just before I finished prison/probation, I appealed to federal court – claiming state courts were corruptly delaying my appeals until I was off probation and thus barred from federal court. The U.S. District Court ruled against me, stating I still must exhaust state appeals. The U.S. 9th Circuit and U.S. Supreme Courts, to whom I appealed the District Court's decision,

denied review. In 2016 I finished my term of imprisonment/probation, so this court, by delaying my appeals for over 15 years, has ensured I can't expose your corruption in federal court. It is obvious this is why you three judges falsified your sworn pay affidavits so you could corruptly delay deciding (for nearly 3 years after all briefing and oral argument were finished) my last appeal long enough that my door into federal court had closed.

31. The state (Assistant Attorney General Donald Soderstrom) claims (pages 23-26) that Judge Morse and/or state DAs/attorneys do not have to give a public petition (signed by about 500 Alaskans and asking for the grand jury to investigate and report on the forgoing evidence of corruption) to the grand jury. In addition, the state claims that the grand jury cannot itself decide to investigate and report on the forgoing corruption.

In fact, state attorneys (including Deputy AG Robert Henderson and DA Leaders) have ordered three separate grand juries (two in Anchorage and one in Kenai) to stop investigating the judicial corruption - when, on their own, these grand juries decided to start investigating.

This is shocking, as **Alaska's Grand Jury Handbook** [Alaska Court System form **J-185**], provided to every Alaskan grand juror, proves the state is blatantly lying – and is illegally and unconstitutionally stopping grand juries from investigating and reporting on the above corruption – along with unconstitutionally keeping citizen petitions, asking the grand jury to investigate and report on the above corruption, from ever being seen by the grand jury. **Alaska Grand Jury Handbook, Section IV (pages 24-28):**

GRAND JURY INVESTIGATIONS AND REPORTS - "The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended." Alaska Constitution, Article 1, Section 8

What can the grand jury investigate?

The "public welfare or safety" is quite a broad category of topics. Some examples of matters grand juries have previously investigated are:

Anchorage District Attorney's Office...the governor...patterns of crime...misconduct in state and local government...criminal activity affecting public welfare or safety...corruption in the Ketchikan police Department...inappropriate conduct of a judge...

Who decides that the grand jury should investigate something?

Generally, grand jury investigations are initiated by the district attorney. They can also be initiated by the presiding judge ***or by members of the grand jury.*** *Prosecutors also sometimes receive* ***letters from the public, addressed to the grand jury, requesting investigations.*** *In these situations, the prosecutor will probably conduct a preliminary investigation and make a recommendation to the grand jury about whether to take action.* ***It will be up to the grand jury to decide whether to investigate the matter requested in the letter.***

AS 12.40.030 Duty of inquiry into crimes and general powers. *The grand jury shall inquire into all crimes committed or triable within the jurisdiction of the court and present them to the court. The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety.*

AS 12.40.040 Juror to disclose knowledge of crime. *If an individual grand juror knows or has reason to believe that a crime has been committed that is triable by the court, the juror shall disclose it to the other jurors, who shall investigate it.*

State attorneys are illegally, unconstitutionally, and corruptly stopping grand juries that, on their own, started investigating the forgoing corruption – including the corruption of state attorneys themselves. State attorneys are illegally, unconstitutionally, and corruptly keeping public petitions, asking the grand jury to investigate the forgoing corruption, from ever reaching the grand jury. See additional evidence of corruption that is attached to the end of this brief.

CONCLUSION

The audience for this brief is not just you three court of appeals judges. It is for the United States public. It is evidence my family and I have gathered and preserved over the past 15 years at very great personal cost – proving Alaska's judicial system has been taken over by systemic corruption and that this great concern to the public's welfare and safety is being actively, illegally, and unconstitutionally covered up by government officials.

I, and a growing number of others – that will include a grand jury, look forward with great interest to this court's next *"cock and bull"* story to explain away and delay consideration of the overwhelming evidence of systemic corruption permeating my case.

You may think it's funny that you have put my family through living hell for 15 years and counting to starve us out – but I and a growing number of others don't. The frame job you are covering up kept Jackie and I from having more kids and, at one point, forced us to discuss

whether or not we should buy heating oil so our daughters would be warm or buy food so they wouldn't go hungry – as we no longer had the money to buy both. Around this time Jackie had to seek medical help for depression. To make ends meet I am now the oldest person on a road construction crew. All because I agreed to do so when the state asked for my help. Our business brochure shows more of the life that has been stolen from us. (See attached brochure.)

I know you judges could care less about our struggles – but I want everyone else reading this to know why I am so hell-bent to make sure you don't do this to anyone else.

Adickes v. Kress, 398 U.S. 144 (U.S. Supreme Court 1970) *Such occurrences show that there is a pre-concerted & effective plan by which thousands of men are deprived of equal protection of the laws. The arresting power is fettered, the witnesses are silenced, the courts are impotent, the laws are annulled, the criminal goes free, the persecuted citizen looks in vain for redress.*

42 U.S.C. 1983 *[S]tate courts were being used to harass & injure individuals, either because the state courts were powerless to stop the deprivations or were in league with those bent upon abrogation of federally protected rights…Sheriffs, having eyes to see, see not; judges, having ears to hear, hear not; witnesses conceal the truth or falsify it.*

How would you know if *"state courts… were in league with those bent upon abrogation of federally protected rights"?* Would the judge pick up a gun to help rob someone? Probably not. Would the judge ride around with the prosecution during trial & destroy a defendant's evidence – like Judge Murphy did? Yes. Would the judge overlook prosecution's trial perjury & then cite the perjury as reason to forfeit defendant's airplane to prosecution & sentence him to years in prison/thousands in fines/career destruction – like Judge Murphy did? Absolutely. *Is this a form of robbery using the color of law?* No doubt. Would the judges lie to justify eliminating the presentation of evidence that would prove DAs and troopers are outright framing people with false evidence and testimony - like you and Judge Morse did? Absolutely. Would the judges order that no evidence can be presented proving prosecution is threatening defense attorneys to do all this – exactly as you and Judge Morse did? No doubt.

Would *"state courts… in league with those bent upon abrogation of federally protected rights"* need an oversight agency that will falsify official investigations to protect corrupt judges – exactly like the Alaska Commission on Judicial Conduct and its 30-year judge investigator Marla Greenstein are doing? Absolutely.

Would they taser someone 10 times just to keep the physical evidence proving the above from being presented in court – as Judge Morse did to me? No doubt.

Would they violate Alaska's constitution and law to stop a grand jury who started to investigate, as Judge Morse and Deputy AG Skidmore did? You bet.

People following this recommend: (1) We all get together (some claim it best if I wasn't involved – but that isn't going to happen) with the evidence proving danger to the public's welfare and safety, along with copies of the Alaska Grand Jury Handbook that proves we have an absolute right to give it to the grand jury and ask they investigate and report and (2) We enter Alaska's courthouses when the grand jury is convened and announce that we will not leave until we are allowed to present our evidence to the grand jury and ask they investigate and report, unimpeded by state officials – as enshrined in Title 1, Section 8 of Alaska's constitution.

If the forgoing isn't successful, some think I should run for governor on an anti-corruption platform. Maybe this has merit. But I do know this, that if Alaska's courts close their doors to me without a new trial that is fair – as our constitution requires – I will travel to the locked trooper impound yard at 4825 Aircraft Drive, Anchorage, AK & start taking back the stolen airplane/property I used to provide for my family so long ago. I will request all those now following this to come watch - and help if they believe our constitution is worth fighting for.

I have thought hard about breaking into the trooper impound yard. Our babies when this started have turned into beautiful, strong, & intelligent young ladies – our eldest being senior Valedictorian in a class of 200 graduates with college already paid for by scholarships - our youngest a student pilot & accomplished huntress – taking a grizzly & caribou on the same day at 14 & taking over 60-inch antler-spread moose most every year since (each feeds our family for over a year). They no longer need my help or guidance to successfully navigate life. I have been with my beautiful wife for over 30 years. I will be proud, without regret, to die to expose the sophisticated evil we have found in Alaska's judicial system – in part because, after 15 years of diligent & exhaustive effort, it appears this is the only way it can be exposed & in part because those following this, many of whom I have never met before, have given their word to keep an eye on my beautiful ladies after I am gone. But mostly because I believe the best way for me to protect my family is to stop it before it grows – even if it takes my life to do so. As

strong & as intelligent as my daughters are, I don't know if they could prevail if this evil gets stronger. Winston Churchill & Thomas Jefferson explain this truth better than I can:

If you won't fight for right when you can easily win without bloodshed; if you won't fight when your victory is sure & not too costly; you may come to the moment when you will have to fight with all the odds against you & only a precarious chance of survival. There may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than to live as slaves…. There is only one duty, only one safe course, & that is to try to be right & not to fear to do or say what you believe to be right…. This is the lesson: never give in, never give in, never, never, never, never — in nothing, great or small, large or petty — never give in except to convictions of honour & good sense. Never yield to force; never yield to the apparently overwhelming might of the enemy…. One ought never to turn one's back on a threatened danger & try to run away from it. If you do that, you will double the danger. But if you meet it promptly & without flinching, you will reduce the danger by half…It's not enough that we do our best; sometimes we have to do what's required…. If you have an important point to make, don't try to be subtle or clever. Use a pile driver. Hit the point once. Then come back & hit it again. Then hit it a third time-a tremendous whack. **Winston Churchill**

And what country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. It is its natural manure. **Thomas Jefferson**

After I am killed, I ask the public demand that a grand jury, with independent counsel and power to subpoena/grant immunity, independently and publicly investigate Alaska's judicial corruption – especially the evidence that this court of appeals and Marla Greenstein are covering it up. And if proved, demand maximum punishment for offenders and demand that Alaska's court system, Commission on Judicial Conduct, Bar Association, Department of Law, & Troopers be placed into federal receivership – as done with corrupt agencies elsewhere in the U.S. Events, confirmed by the sworn testimony of attorney Dale Dolifka, have given me an unshakeable belief that, in the deciding of this one lowly case concerning the killing of wolves in remote Alaska, the integrity of Alaska's entire judicial system hangs in the balance.

Relief Requested

1. Order a public grand jury investigation, with independent counsel, into all the above.

2. Overturn my conviction and order that I be given a new trial – one that is fair.

3. Any other relief justice may require.

Will This Court of Appeals Grant Relief?

Attorney Dolifka: *The reason why you have still not resolved your legal problems is corruption ...if the appeals courts do right by you & reveal, you know, you have the attorneys going down, you have the judges going down, you have the troopers going down."* [R.1970-1986]

After this court first unjustly denied me relief, many more people/entities have been implicated – including this court. If this court didn't "*do right*" the first time it sure can't now.

Declaration Under Penalty of Perjury

I, David S. Haeg, declare under penalty of perjury that the above is true & correct.

D S Haeg Executed at Browns Lake, Alaska

on January 2, 2020.

David S. Haeg
PO Box 123
Soldotna, Alaska 99669
(907) 262-9249 home; (907) 398-6403 cell/text; haeg@alaska.net; Facebook, and
www.alaskastateofcorrupiton.com

Certificate of Service: I certify that on January 2, 2020 a copy of the forgoing was served by mail to: AAG Peterson. By: D S Haeg

Everyone please forward this on to all possible, by any means. It may be published and/or reproduced freely anywhere. If you want to donate money to help stop this corruption, we set up a PayPal account linked to our email (haeg@alaska.net) and cell (907) 398-6403.

Please seek out grand jury service (when you get a jury notice you may request grand jury service) and if selected, present the evidence above to your fellow grand jurors and ask they investigate. Ask your legislators to call for an independent and public grand jury investigation. Please follow this on Facebook page "Alaska, State of Corruption" and group "Stop Alaska's Judicial Corruption". Most physical evidence proving the corruption is on the website www.alaskastateofcorruption.com, YouTube, and Facebook in "#1 EVIDENCE PACKET", "#2 EVIDENCE PACKET", etc., etc.

New York City's Mollen Commission Report

To cover up their corruption, officers created even more: they falsified official reports and perjured themselves to conceal their misdeeds. In the face of this problem, the Department allowed its systems for fighting corruption virtually to collapse. It had become more concerned about the bad publicity that corruption disclosures generate than the devastating consequences of corruption itself. As a result, its corruption controls minimized, ignored and at times concealed corruption rather than rooting it out. Such an institutional reluctance to uncover corruption is not surprising. No institution wants its reputation tainted – especially a Department that needs the public's confidence and partnership to be effective. Since no entity outside the Department was responsible for reviewing the Department's success in policing itself, years of self-protection continued unabated until this Commission commenced its independent inquiries.

TRANSCRIBER'S CERTIFICATE

I, Britney E. Dudley hereby certify that the foregoing pages numbered 3 through 575 are a true, accurate, and complete transcript of proceedings in 3KN-10-01295CI, David Haeg vs. State of Alaska, transcribed by me, or at my direction, from a copy of the electronic sound recording to the best of my knowledge and ability.

MR. HAEG: Okay. The -- one more question I'd like to ask Mr. Robinson kind of on this issue, is was part of Leaders' and Gibbens' case against me at trial that I was eliminating wolves in my guide area to improve my guide business?

A. Yes. [Tr. 218]

THE COURT [Judge Morse]: Mr. Zellers, will you take the stand?

DIRECT EXAMINATION BY MR. HAEG: Q. Were you a trial witness for the state [Tr. 376] against me?

A. Yes.

Q. On or about June 23, 2004, did you, Prosecutor Scot Leaders and Trooper Gibbens have a meeting?

A. Yes, we did.

Q. Did Leaders and Gibbens tape record this meeting?

A. Yes.

Q. Is this -- MR. HAEG: Can I approach and have him look at this, see if it's an accurate transcript of the meeting?

THE COURT: Yeah.

Q. Does this look like an accurate transcription of that meeting? [Tr. 377]

A. This looks like the meeting.

Q. Okay. During this meeting, did Leaders and Gibbens show you an aeronautical map?

A. Yes, they did.

Q. Can I approach and see if you agree that this is a copy of what you were shown?

THE COURT: Sure.

A. This is a copy. The only thing that's slightly different is the green line on it.

Q. Okay.

THE COURT: That's Exhibit 25?

MR. HAEG: Yes, Trial Exhibit 25.

THE COURT: Hang on. Hang on just a second. When -- that thing has, for example, indications where wolves were killed?

THE WITNESS: Yes, Your Honor.

THE COURT: So when they showed you this map, did the map -- was it exactly the way it is there with the wolf kills on there?

THE WITNESS: Yes, it was.

THE COURT: Okay. But the only thing that was not on there, and correct me if I'm wrong, is the color highlight of some kind of a boundary unit? [Tr. 378]

THE WITNESS: Yes.

THE COURT: That was not there?

THE WITNESS: The boundary unit was drawn on there, but it wasn't highlighted.

THE COURT: The highlight wasn't there?

THE WITNESS: Right.

BY MR. HAEG: Q. Did Prosecutor Leaders and Trooper Gibbens tell you that I had marked the wolf kill locations on this map when they interviewed me during my plea negotiations with them?

A. Yes, they did.
Q. Did you prove to Prosecutor Leaders and Trooper Gibbens that that map had false hand-drawn game management unit boundaries on it?

A. Yes, I did.

Q. Did you use the Alaska Department of Fish and Game game management unit's physical description to do this?

A. I'm pretty sure I did use the -- the written description of the game management units.

Q. Okay. Is this description published in all Alaska hunting regulations?

A. Yes, it is. [Tr. 379]

Q. Can you point out to –

THE COURT: Hang on. Let me just ask a question, make sure I understand what you just said. You were shown this map, and the map had preexisting unit boundary lines marked on it; right?

THE WITNESS: Yes.

THE COURT: Okay. And you looked at those lines and said that they were in error?

THE WITNESS: I looked at the lines and said they were in error. There was a discussion between Trooper Gibbens and myself about he wanted to say the wolf kills were in 19C. I said, no, they were in 19D. And I quoted the boundary line and how this was wrong, to him.

THE COURT: So you -- you told him at the time that the boundary lines shown in the map were inaccurately drawn?

THE WITNESS: Yes.

THE COURT: Okay. Go ahead.

BY MR. HAEG: Q. Can you point out to the Court or me what boundary was falsified and where the correct boundaries should have been? [Tr. 380]

A. Using the map here, 19C area doesn't have what I'll just call is this toe area that encompasses and circles these wolf kills down here. So 19C's western boundary is where the Babel flows into the Swift. And then everything downstream on the Swift is actually 19D. And upstream is 19C. All the wolf kills were downstream of that point.

Q. Okay. Do the false boundaries –

THE COURT: So downstream of Swift is 19D, as in David?

THE WITNESS: 19D is downstream of where the Babel River flows into the Swift River.

MR. HAEG: And the North Fork.

THE WITNESS: And the North Fork, yes, of the Swift.

THE COURT: Go ahead.

Q. Did the false boundaries on that map corruptly make it seem as if the wolves were killed in my game management unit 19C guide area, instead of being killed in game management unit 19D?

A. Yes. [Tr. 381]

Q. Okay. Did Prosecutor Leaders and Trooper Gibbens and you discuss how I was not allowed to guide in 19D but was allowed to guide in 19C?

A. Yes, we had that discussion, so –

Q. Okay. Did Prosecutor Leaders, Trooper Gibbens and you discuss how my killing wolves in 19D would not benefit my guide business?

A. Yes, we had -- I had the discussion with the trooper that because these were killed outside your guide unit, they were not directly related to your guide, so –

Q. Did Prosecutor Leaders, Trooper Gibbens, and you discuss how my killing wolves in 19C would benefit my guide business?

A. Yes.

Q. Was the wolf control program actually taking place in 19C or 19D?

A. As I recall, there was nothing in 19C, but there were parts of 19D that had.

Q. Okay. During this meeting, did you point out to Prosecutor Leaders and Trooper Gibbens that their search warrant affidavits also falsified the wolf kill locations to my 19C guide area? [Tr. 382]

A. Yes. The affidavits listed the wolf kills in 19C. And I pointed out to them that that was incorrect information.

Q. And you may not know this, but did Prosecutor Leaders and Trooper Gibbens tell my jury that I killed the wolves in 19C area to benefit my guide business?

A. I can't testify to what, or the reason why they testified that, but Trooper Gibbens did testify under direct from -- from Prosecutor Leaders that the wolves were killed in 19C.

Q. Did Prosecutor Leaders and Trooper Gibbens [Tr. 383] use the map upon which I placed the wolf kill locations during plea negotiations against me at trial?

A. Yes.

Q. Did Prosecutor Leaders and Trooper Gibbens know the map had been falsified to support their case against me when they presented it to my jury as the reason to convict me?

A. Yes. [Tr. 384]

Q [MR. HAEG]. Did you file a pretrial discovery request while you represented me?

A [MR. ROBINSON]. Yeah.

Q. Was it violated?

A. In what way?

Q. Did you ask, for anything that would be used against me at trial, to be given a copy of it to you before trial?

A. I believe, Mr. Haeg, what I did in your case, as I did in all of my criminal cases, is that I sent a standard broad request to the District Attorney's Office to reveal to me any and all evidence that it had in its possession regarding the charges against you. So I sent them a letter, yeah.

Q. Okay. Is it true that they used a map against me at trial that we, you and I, never got a copy of before trial?

A. I learned that later. [Tr. 174-175]

THE COURT [JUDGE MORSE]: -- so, Mr. Robinson, did you get a transcription of this tape that supposedly shows the state and the -- the prosecutor and the trooper talking about falsification or something like that?

A. Prior to trial?

THE COURT: Ever.

A. I didn't get anything prior to trial. And most recently, probably within the last year or so, Mr. Haeg showed me a transcript of an interview that Trooper Gibbens and Scott Leaders had --

THE COURT: -- is an interview of Leaders, Gibbens, and Zeller [sic]?

A. Correct. But, I mean, I -- by the time Mr. Haeg showed that to me, I'd already retired. I retired in January --

THE COURT: Right.

A. -- 2011.

THE COURT: You may be coming back. But you got it way back when. And this is nothing that you had seen prior to trial?

A. Prior to trial, no. (Tr. 209-210)

MR. HAEG: Q. Does this recollect your -- can you read this and tell me if this is a true –

A [MR. ROBINSON]. What is it, David?

Q. It is a response, a certified response by Marla Greenstein to the Alaska Bar Association. And in it she says, in Mr. Haeg's matter, I interviewed Mr. Haeg's attorney, Arthur Robinson. Is that a true statement, Mr. Robinson?

A. I -- I was never interviewed by her. [Tr. 285]

MR. PETERSON: -- So what's –

MR. HAEG: Okay.

MR. PETERSON: -- the purpose of this?

MR. HAEG: This is a proof –

THE COURT: I have no idea.

MR. HAEG: -- that there was a cover-up by the Alaska Commission on Judicial Conduct that my judge was chauffeured by the main witness against [Tr. 286] me during my trial. And I, as an American citizen, has a constitutional right to an unbiased judge. And not only was my judge running around full-time with the main witness against me –

THE COURT: Mr. Haeg, let me help you out here.

MR. HAEG: -- the only person that investigates judges in this state falsified an official investigation. And not only did she do that, when I filed a bar complaint, she then falsified a certified document to cover up her corrupt investigation. And I want it on the record.

MR. PETERSON: So it's irrelevant, and it shouldn't be admitted.

THE COURT: It's admitted. (Exhibit 6 admitted)

MR. HAEG: It proves there was a cover-up.

THE COURT: Mr. Haeg, I'm admitting it.

MR. HAEG: Okay. Thank you, Your Honor. [Tr. 287]

THE COURT: Mr. Haeg, rather than spend time convincing me that Gruenstein -- Greenstein made some sort of false allegation, it would be more helpful to your case if you put the witnesses on who saw Judge Murphy driving around with the trooper.

MR. HAEG: Okay.

THE COURT: That's the important part. Not that the judicial conduct commission is a fraudulent entity. Not that Marla is a lying –

MR. HAEG: But you –

THE COURT: -- person.

MR. HAEG: -- see, Your Honor –

THE COURT: What's important –

MR. HAEG: -- you -- what you –

THE COURT: -- for your case in this hearing is for you to prove that, in fact, Judge Murphy drove around with the trooper. So if you have witnesses of that, those are more important witnesses.

MR. HAEG: What I believe –

THE COURT: But your –

MR. HAEG: -- is more important –

THE COURT: But –

MR. HAEG: -- for the citizens of this state to know that the only investigator of judges for the past 30 years, and that's investigator of you –

THE COURT: Mr. Haeg.

MR. HAEG: -- and every other judge in this state –

THE COURT: Mr. Haeg.

MR. HAEG: -- is falsifying –

THE COURT: Mr. Haeg.

MR. HAEG: -- investigations to cover up for corrupt judges. [Tr. 289-290]

MR. HAEG: Q. Were you a state witness during my trial in McGrath?

A [MR. ZELLERS]. Yes.

Q. Did you also attend my sentencing in McGrath on 9/29/05 and 9/30/05?

A. Yes.

Q. On these days, were you present -- at both trial and sentencing, were you present in court every hour that court was in session?

A. After I was called as a witness, I was present in court. Prior to being called as a witness, I was held at the trooper office until going up, Your Honor.

Q. Okay. On 7/28/05 [sic] and 9/29/05, did you personally observe Judge Margaret Murphy being shuttled in a white trooper pickup truck driven by Bret Gibbens?

A. Yes.

Q. Did you observe them leave -- did you observe Judge Margaret Murphy leaving and returning with Trooper Gibbens in the same truck during breaks, lunch, and dinner, and finally leave with Trooper Gibbens when court was finished for the day?

A. Yes.

Q. Did nearly all the rides that you witnessed -- were nearly all of them -- did most of them happen before I was sentenced?

A. Yes.

Q. And, just to be clear, a lot of them that you seen was during trial; correct?

A. Correct.

Q. Because you were a state witness, and you were at the –

A. Correct.

Q. Was Trooper Gibbens the primary witness against me at trial?

A. Yes.

Q. At any point ever, during both trial and sentencing, did you ever see Judge Murphy arrive or depart the courthouse alone or with anyone other than Trooper Gibbens?

A. No.
Q. Has anyone, other than myself, ever contacted you about whether or not Trooper Gibbens gave Judge Murphy rides during my trial?
A. No. [Tr. 385-387]

BY MR. PETERSON: Q. So, Mrs. Haeg, you testified that you heard on the record the Court asked about getting a Diet Coke from the trooper; right?

A [MS. Haeg]. She ask- --

Q. Or say that he was getting -- that she was going to commandeer his vehicle to get a Diet Coke; right?

A. She wanted him to take her to the store. I did hear that, yes.

Q. And then when they came back on the record, she explained that no ex parte communication occurred?

A. I don't remember that.

Q. You don't remember that?

A. I don't remember that, no.

Q. Okay. Are you aware that she filed an affidavit in this matter, stating that the only ride that she ever received from Trooper Gibbens was after the sentencing, because it was late at night –

A. Yes, I'm aware –

Q. -- in McGrath?

A. -- of that. I am aware of that, yes. [Tr. 472-473]

MR. HAEG: Can I ask one more question?

THE COURT: Sure.

Q. The affidavit that Judge Murphy swore to under penalty of perjury that she only got one ride and it was after I sent -- after our sentence, is there any doubt whatsoever in your mind that that is a false affidavit?

A. Not -MR. PETERSON: Objection; calls for speculation.

THE COURT: Overruled. You can answer that question.

A. I believe her statement was false. No doubt.

Q. Based on personal –

A. Based –

Q. -- observation?

A. -- on everything I saw, yes. [Tr. 475]

[Tr.477-487] Another witness to: (1) Judge Murphy being chauffeured by Trooper Gibbens before I was sentenced; (2) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy; and (3) Judge Murphy falsifying a sworn affidavit to cover up her corruption.)

[Tr.502-510]Another witness to: (1) Judge Murphy being chauffeured by, and eating with, Trooper Gibbens before I was sentenced; (2) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy; (3) judge investigator Marla Greenstein falsifying a certified document to cover up her own corruption and (4) Judge Murphy falsifying a sworn affidavit to cover up her own corruption.)

[Tr.514-566] Another witness to: (1) Judge Murphy being chauffeured by, and eating with, Trooper Gibbens during my trial; (2) Judge Murphy destroying properly admitted evidence; (3) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy and (4) Judge Murphy falsifying a sworn affidavit to cover up her corruption.

MR. HAEG: Q. I'd just like to say thank you for coming, Mr. Dolifka. After what happened in my case with Brent Cole and Chuck Robinson, did you start reading documents in my case and became so confused and concerned that you contacted Judge Hanson?

A. That's true.

Q. And what did you and Mr. Hanson talk about?

A. Well, your case. I was very puzzled. And I had total faith in him. He had been my mentor as a superior court judge. He was appalled, and he was disgusted, and he was confused, which left me –

THE COURT [JUDGE MORSE]: Now, wait. Wait.

MR. PETERSON: Objection. What's going on?

THE COURT: Slow down.

MR. PETERSON: I'm going to object to relevance. I'll start there.

THE COURT: What are we doing here? Explain to me what you want Mr. Dolifka to say. That he read some stuff, he wasn't happy, he talked to Judge Hanson?

MR. HAEG: Yes.

THE COURT: Judge Hanson's statements to him are not admissible.

MR. HAEG: Okay. Q. Is it -- is it true that Alaska's attorneys have banded together against me?

MR. PETERSON: Objection; relevance.

THE COURT: You're going to have to do a little more than that just to simply ask him some opinion.

MR. HAEG: Okay. Well –

THE COURT: You've got to show a basis for opinion. You've got to show –

MR. HAEG: I'm sorry. Q. Are you an attorney licensed in this state?

A. Yes. [Tr. 407-409]

Q. Have you been involved with this case, or familiar with this case?

A. Yes.

THE COURT: How so?

THE WITNESS: Well, Mr. Haeg was my client. He had a corporation with an airplane in it. So do you want me to say more? Or that's –

THE COURT: That's not much. That's got little to do with –

THE WITNESS: Well, that's –

THE COURT: My assumption is that you know something about the prosecution. And I want to know, were you part of the prosecution? Were you -- attend the trial? Did you read the transcripts? You tell me what you seem to know about this. Where did you get your –

THE WITNESS: Well, I read, probably, everything about the case.

VOIR DIRE BY THE COURT: Q. My question to you is, you apparently have made an -- after the conclusion of Mr. Cole's representation have done an investigation of some sort and have come to a conclusion about the quality of that representation. Am I correct so far?

A [MR. DOLIFKA]. Yes.

Q. Did you make your opinion about the quality of the representation during his representation or only after it was concluded?

A. Well, both.

Q. Do you think Mr. Cole gave ineffective assistance of counsel?

A. Based on what I've seen and what I'm allowed -- I'm not a criminal attorney -- I would say, yes, it was ineffective counsel.

Q. Okay. Do you have an opinion about whether Mr. Robinson gave ineffective assistance of counsel to Mr. Haeg?

A. Yes.

Q. What is that opinion?

A. It was ineffective. [Tr. 412-418] .

A. Well, there's that. You got to remember I sat in the courtroom just like this one other time with the judge, went through this same process. And certainly appeared to me that that judge thought you'd been ineffectively represented. So I guess I added that to it. Went with you to the FBI. I mean, again, I'm just speaking as a layperson. I don't have to be a lawyer to read these things and believe that something was inherently wrong. So – [Tr. 420-421]

Q. Did you ever read in the court documents and find out from Mr. Robinson or Mr. Cole, that the warrants, the affidavits used in the warrants to seize my airplane had been falsified; that all the evidence locations had been falsified, my guide area?

A. Well, when I talked with Robinson about representing you, I think the issues about the airplane were probably the most egregious. That's how I remember it. [Tr.429]

[MR. HAEG] Q. Can I ask you this Mr. -- is it true, Mr. Dolifka, you have been a criminal defense attorney at one point?

A. I did misdemeanors for the Teamsters, DUIs. I did not do felonies. [Tr. 433]

BY MR. HAEG: Q. Is it true that when they seized my airplane, which I used for my business, they were required to give me a prompt post-seizure hearing; is that your understanding?

A. Yes, that was my understanding. **[See Waiste v. State, 10 P.3d 1141 (AK Supreme Court)]**

THE COURT: Do you have any cross-examination?

MR. PETERSON: I do. Q. So, Mr. Dolifka, you just said there was a question about the outrageous process with which Mr. Haeg was prosecuted. What was outrageous about it?

A. Well, you've got to remember my state of mind during this whole process. That was a very dark time on the Kenai Peninsula. And a lot of my concern with Haeg's cases was a concern for everything that was going on down there. And I know that's irrelevant, but that would answer that question. It was not just David Haeg's case.

Q. Okay. So with respect to his case specifically, there was nothing that was outrageous about the prosecution. It's just, generally, what you say was happening made you feel that way; is that right?

A. I think a lot of us in the Kenai Peninsula during that era, felt that our judicial system down there was becoming unmoored –

Q. I didn't ask for a colloquy about the judicial system, generally.

A. I had concern about the judicial system, in general.

Q. But not specifically about Mr. Haeg's case?

A. Well, included Haeg's.

Q. So any case, any prosecution was outrageous on the Kenai Peninsula at that time?

A. Not any. Some.

Q. Some. How many?

A. Well, you got to remember, I served on a grand jury during this era, which –

Q. We're not going to get into that.

A. Okay. Well, then I can't answer your question. I was concerned about the system at the time, not every single case; some cases. And his case was one of them. [Tr. 440-442]

Alaska's Constitutional Crisis Implicates Department of Law Director Miovas

Jackie, I, and a couple trusted friends discussed Alaska Department of Law Director Paul Miovas' November 28, 2019 written response to a recent legislative inquiry of why the Department of Law has not given a 500-signature public petition (asking for a grand jury investigation into the evidence of the DOL's corruption) to the grand jury. One friend was on an Anchorage grand jury recently; tried giving his fellow grand jurors the physical evidence of systemic corruption within the DOL and Alaska Commission on Judicial Conduct - corruption concerning the public welfare and safety; and was told, by DOL attorneys, that he could not do so and that he could not even discuss his concerns with his fellow grand jurors - directly violating Article 1, Section 8 of Alaska's constitution, AS 12.40.030, and AS 12.40.040. Our observations and questions:

1. This issue is of monumental importance.

2. We have three branches of government, which are supposed to check and balance each-other. It appears that the judicial branch (judges/attorneys) and executive branch (Department of Law/AG's office/Troopers) have joined forces to participate in, and cover up, systemic corruption within Alaska's justice system. This not only exponentially increases the harm that may be occurring to the public, it makes it exponentially harder for the third branch (legislative) to check and balance. Especially considering the fact that either the judicial or executive branches can initiate a grand jury investigation - while the legislative can only request one. Especially when the drafters of Alaska's constitution specifically stated that the grand jury was their fail-safe way to: *"inquire into the willful misconduct in office of public officers... The grand jury in its investigative power as well as for the fact it is sitting there as a panel sometimes is the only recourse for a citizen to get justice..."* Alaska Constitutional Convention (1955), minutes 1307-1344, and 1395-1409)

3. DOL Director Miovas and Deputy AG John Skidmore told Senator Peter Micciche and Representative Mike Chenault, in a July 11, 2018 tape-recorded face-to-face meeting, that the March 2018 Kenai grand jury investigation into the evidence of systemic DOL corruption was stopped by Skidmore because the grand jury never told Skidmore it was investigating systemic corruption concerning the public safety or welfare. Yet after the Skidmore/Miovas/Micciche/Chenault meeting we obtained a tape-recording of the March 21, 2018 grand jury/Skidmore meeting – which captured the grand jury telling Skidmore over and over it was investigating evidence of systemic corruption concerning the public welfare and safety - and that this included corruption within the DOL itself. The Skidmore/grand jury tape-recording, when compared to the Skidmore/Miovas/Micciche/Chenault tape-recording, prove Skidmore and Miovas outright falsified testimony and facts to Senator Micciche and Representative Chenault. The reason: Article 1, Section 8 of Alaska's constitution states: *"The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."* and AS 12.40.030 states: *"The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety."* In other words, Skidmore unconstitutionally and illegally stopped the grand jury from investigating systemic

corruption concerning the public welfare and safety - corruption involving the Department of Law that both Skidmore and Miovas work for. And then it appears Skidmore and Miovas afterward lied to legislators from both the house and senate to cover it up.

4. Now, in Miovas' November 28, 2019 written response he states that only the state/DOL, not grand jury members, can initiate a grand jury investigation - and states that the public is wrong in believing that grand jury members can initiate a grand jury investigation.

Miovas states that the public is wrong that the public can request the grand jury to investigate.

Miovas states that the public is wrong that public requests for the grand jury to investigate must be given to the grand jury.

Miovas states it is up to the Department of Law - and not the grand jury - to decide if public requests asking for a grand jury investigation into systemic corruption within the Department of Law should be investigated.

Miovas states that the public is relying on *"secondary resources"* for its belief, and thus its *"interpretation of the law is incorrect."* Nowhere does he point to any authority, other than his word, that he is right and the public is wrong.

If the public is so completely wrong why does the Alaska Grand Jury Handbook (Alaska Court System form J-185, May 2019 Edition), which has been provided to every Alaskan grand juror for many years, state the following in Section IV (pages 24-28):

GRAND JURY INVESTIGATIONS AND REPORTS - "The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended." Alaska Constitution, Article 1, Section 8

What can the grand jury investigate?

The "public welfare or safety" is quite a broad category of topics. Some examples of matters grand juries have previously investigated are:

Anchorage District Attorney's Office...the governor...patterns of crime...misconduct in state and local government...criminal activity affecting public welfare or safety...corruption in the Ketchikan police Department...inappropriate conduct of a judge...

Who decides that the grand jury should investigate something?

Generally, grand jury investigations are initiated by the district attorney. They can also be initiated by the presiding judge ***or by members of the grand jury.*** *Prosecutors also sometimes receive* ***letters from the public, addressed to the grand jury, requesting investigations.*** *In these situations, the prosecutor will probably conduct a preliminary*

investigation and make a recommendation to the grand jury about whether to take action. ***It will be up to the grand jury to decide whether to investigate the matter requested in the letter.***

It is perfectly clear that grand jury members can initiate grand jury investigations - not just the state/DOL as Miovas claims in his response. It is perfectly clear that Article 1, section 8 of Alaska's Constitution is the authority for this - not some *"secondary resource"* as Miovas claims. It is perfectly clear that Miovas and the DOL had better collect and burn the thousands of Alaska Grand Jury Handbooks that clearly state that grand jury members can initiate grand jury investigations - before grand jury members continue to get the wrong idea and continue to initiate grand jury investigations.

It is perfectly clear that the public can request the grand jury to investigate - in direct opposition to what Miovas claims. It is perfectly clear that Article 1, section 8 of Alaska's Constitution is the authority for this. It is perfectly clear that Miovas and the DOL had better collect and burn the thousands of Alaska Grand Jury Handbooks that clearly state the public can request the grand jury to investigate - before the public continues to get the wrong idea and continues to request and/or petition the grand jury to investigate.

It is perfectly clear that public requests/petitions for the grand jury to investigate must be given to the grand jury - in direct opposition to what Miovas claims. It is perfectly clear that Article 1, section 8 of Alaska's Constitution is the authority for this. It is perfectly clear that Miovas and the DOL had better collect and burn the thousands of Alaska Grand Jury Handbooks that clearly state public requests for the grand jury to investigate must be given to the grand jury - before the public continues to get the wrong idea that these requests must, and will be, be given to the grand jury.

It is perfectly clear that it is up to the grand jury itself, and not the state/DOL, to decide whether to investigate the matter requested by the public - in direct opposition to what Miovas claims. It is perfectly clear that Article 1, section 8 of Alaska's Constitution is the authority for this. It is perfectly clear that Miovas and the DOL better start collecting and burning the thousands of Alaska Grand Jury Handbooks that clearly state that it is up to the grand jury to decide if public requests for the grand jury to investigate should be granted - before the grand jury continues to get the wrong idea and continues to decide to investigate what the public has asked it to investigate.

It is clear that Miovas and the Department of Law, in addition to burning the already printed Alaska Grand Jury Handbooks, better hack into the Alaska Court System website and rewrite Alaska Court System form J-185 (Alaska Grand Jury Handbook) before thousands of future Alaskan grand jurors and citizens print their own Alaska Grand Jury Handbook and also get the wrong ideas.

Numerous DOL attorneys (including Miovas) and judges are currently refusing to give the

grand jury a 500-signature public petition asking the grand jury to investigate: (1) the tape-recording capturing DOL attorneys discussing with State Troopers, before trial, how and why they were falsifying physical evidence - evidence which they afterward presented to a trial jury while knowing it was false - backed up with trial testimony they also knew was false when given; (2) direct evidence that the only investigator of Alaskan judges for the past 30 years is falsifying official investigations to cover up for corrupt judges - and then falsifying certified documents to cover up her corrupt investigations; (3) direct evidence that Alaska State Troopers harmed the integrity of an airplane, let innocent people fly in the plane while they knew it wasn't safe, and afterward conspired with DOL attorneys to falsify sworn affidavits and official documents to cover up what they had done - all proven by emails between DOL attorneys and the Troopers, which captured them admitting to the very acts that they later denied in sworn affidavits and official documents; and (4) direct evidence (sworn testimony from the attorneys themselves) that the DOL is threatening to harm private attorneys if they attempt to expose what is going on.

It is perfectly clear that the Department of Law is holding the grand jury hostage. The DOL is illegally and unconstitutionally preventing public requests/petitions for the grand jury to investigate from ever reaching the grand jury. In addition, the DOL is illegally and unconstitutionally stopping grand jury investigations that the grand jury starts on its own without a public request/petition. Then, to justify its actions, the DOL outright lies; even to state legislators. This is an incredibly evil and effective way to ensure there never is an investigation into evidence of wholesale systemic corruption and cancer growing within our judicial system - including corruption within the DOL itself.

It is clear that the grand jury was meant to be able to investigate even in the face of opposition from the Department of Law - so the grand jury could investigate the Department of Law in case the Department of Law itself became corrupt - exactly as the evidence indicates has now happened.

5. Miovas claims we refused to provide him with evidence proving the corruption. This is not true. When the July 11, 2018 meeting between Miovas, Deputy AG Skidmore, Senator Micciche, Representative Chenault (not Representative Knopp as Miovas states), myself, and several witnesses was scheduled, it was for a whole day so I, and the witnesses, could go over some of the most damming evidence with Skidmore and Miovas while the legislators looked on and asked questions to see for themselves if Skidmore and Miovas were lying. Just before Senator Micciche, Representative Chenault, myself, and the witnesses all drove to Anchorage from the Kenai/Soldotna area, Skidmore/Miovas informed us something had come up and they could only give us half a day. After we had all driven up and arrived at the DOL meeting room, Skidmore/Miovas informed all of us something else had come up, stated they only had an hour to give us, and that there was no time to go over any of the evidence that we had brought with. Writing this, I now realize that Skidmore/Miovas whittling away of time may very well have been a deliberate, and shockingly effective, lie - a ruse to avoid being cornered into admitting there must be a grand jury investigation - or to avoid having to lie nonstop to state legislators to justify not having the grand jury investigate. The only

discussion that occurred was about how Skidmore and the DOL could legally stop the Kenai grand jury that had started investigating - and we now know that Skidmore and Miovas lied to the legislators to cover up that Skidmore and the DOL had illegally and unconstitutionally stopped the Kenai grand jury. When asked to do so at that meeting, Skidmore and Miovas refused to swear to tell the truth. Now it appears Miovas has lied again in his current November 28, 2019 written response to another legislative inquiry.

After the meeting in which he was lied to, Senator Micciche stated that a second, longer, in-depth meeting was needed to specifically go over the actual evidence that was never addressed as it should have been.

6. Copies of the actual evidence have already been given to the DOL numerous times. One time that should stand out is when Jim Jansen (my employer and owner of Lynden Inc, Knik Construction, Alaska Marine Lines, etc) looked at the actual evidence and afterward had Representative Mike Chenault hand-deliver it to the Attorney General. Then Jansen followed up to make sure the AG received it. We never received a response. We did receive a response when FBI Assistant Special Agent in Charge David Heller, the second most powerful FBI official in Alaska, examined the evidence. ASAC Heller had me request a personal meeting with the AG, head of the Bar (implicated in covering up for DOL attorneys), and head of the Troopers so I could go over the evidence with them. The AG's office wrote back that they had already looked into the evidence, found nothing of concern, would not meet with me, and stated they would no longer respond to correspondence from me.

7. After Colonel Steve Bear, a Director of the Alaska State Troopers, heard that FBI ASAC Heller wanted me to meet with him, he agreed to do so. For the better part of a day several witnesses and myself discussed, and gave Director Bear copies of, the physical evidence of corruption - provably false physical trial evidence; pretrial tape-recordings of DOL attorneys and troopers discussing how and why they falsified the evidence before trial; trial transcripts proving the DOL attorneys and troopers gave the evidence to a jury while knowing it had been falsified to obtain a conviction; trial transcripts proving DOL attorneys and troopers gave sworn trial testimony they knew was false when given; direct evidence that the only investigator of Alaskan judges for the past 30 years (Marla Greenstein) was falsifying official investigations to cover up for corrupt judges; direct evidence that Greenstein falsified certified documents to cover up her corrupt investigations, etc, etc, etc.

Director Bear stated he would investigate and in two weeks call me to discuss his findings. Two weeks later Bear told me he needed another two weeks. After that another two. After several months Bear no longer called so I started calling him without success. Finally, Bear's secretary told me that Bear could not talk to me until he had talked with his own attorney. It is now five years later and I have yet to talk with Bear about his findings. Why? We think Bear needs to be asked, and required to answer, this question.

8. We think that the Department of Law should be taken up on its offer to go over the

evidence of systemic corruption. We ask that everyone request a meeting with the Attorney General in which I, and other witnesses, can present the evidence to him and ask questions. We ask that everyone ask their legislators (house and senate) to attend so that they can freely ask questions of me, the witnesses, and the AG. We ask each legislator to bring their own copy of the Alaska Grand Jury Handbook. We think it vitally important that myself, the witnesses, and AG all be sworn to tell the truth under penalty of perjury - and that the meeting be video and/or tape recorded. If the AG is unwilling, we would be willing to conduct the meeting with Deputy AG Skidmore and/or Department of Law Director Miovas. One full day is the absolute minimum just to get in the high points. Three full days would be far better.

9. We think another meeting with the federal government is appropriate at this time, and ask that everyone and their legislators join us in requesting a face-to-face meeting with Congressman Don Young (who facilitated our prior meetings with the FBI). We ask that this meeting also be attended by concerned state legislators and the FBI - so when we go over, and discuss solutions for, the evidence of systemic corruption and crime we get answers from different perspectives - especially on issues such as jury tampering, obstruction of justice, and Racketeering Influence Corrupt Organizations (RICO). If Congressman Young agrees to a meeting it is likely he can convince the FBI to attend.

We would like to have this meeting conducted like the independent commission investigation that legislators in the past told us was needed, an independent commission the Department of Law told Senator Micciche the legislature has no authority to appoint. We believe there is a good possibility that the Department of Law has lied to Senator Micciche on this issue also, as the mayor of New York City had authority to appoint the independent Mollen Commission to investigate corruption in New York City. If a mayor has the authority to do this we think it is unlikely the State of Alaska's entire legislature doesn't have the authority to do the same.

Conclusion

We believe more than ever that our growing group of concerned citizens would be justified in entering the courthouse when the grand jury is in session and stating that they will not leave until they are able to present their evidence to the grand jury, ask the grand jury to investigate it, and be convinced the grand jury not be tampered with as they decide whether or not to investigate and/or start investigating. This belief is based on the authority above and the fact that the Department of Law refuses to give a petition for the grand jury to investigate, signed by about 500 Alaskans, to the grand jury. But we understand that before doing so we must exhaust opportunities for the Department of Law to follow the law instead of break it.

The most critical evidence of corruption is located on the website www.alaskastateofcorruption.com in the box "2019 Important Information". Everyone in Alaska should look at this evidence. In addition, we now know of three separate grand juries, two in Anchorage and one in Kenai, that were stopped by the Department of Law after they

started investigating systemic corruption, concerning the public welfare and safety, within the Department of Law. We believe the grand jury, in addition to investigating the other evidence, should also investigate this - because Alaska's constitution states: *"The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."*

Again, everyone please contact their legislators and ask them to join me in scheduling and attending a meeting with senior Department of Law officials – a tape and/or video recorded meeting in which the actual evidence is presented and DOL officials, myself, and critical witnesses must respond to legislator questions while under oath.

In addition, everyone please ask their legislators join to me in scheduling and attending a later meeting with Congressman Don Young and the FBI.

Everyone please copy, forward, share, post, reproduce, and/or publish this document everywhere possible.

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