Exhibit A (2): Evidence That Four Separate Grand Juries Started to Investigate – But Were Then Affirmatively Stopped from Doing So

Judge Morse Evidentiary Hearing Transcript

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

1. *[Tony Zellers] 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 [Third Judicial District Presiding Judge William Morse]: 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?*

1. *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?*

1. *Yes. [Tr. 384]*

**(2) Judge Morse Evidentiary Hearing Transcript**

*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.*

*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?*

1. *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.*

1. *-- 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?*

1. *Prior to trial, no. [Tr. 174-210]*

**(3) Judge Morse Evidentiary Hearing Transcript**

*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?*

1. *Yes. [Tr. 218]*

**(4) Judge Morse Evidentiary Hearing Transcript**

*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 [State Assistant Attorney General]: -- So what's –*

*MR. HAEG: Okay.*

*MR. PETERSON: -- the purpose of this?*

*MR. HAEG: This is a proof –*

*THE COURT [Judge Morse]: 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]*

**Attorney Arthur Robinson’s tape-recorded statement after being shown evidence District Attorney Scot Leaders violated Robinson’s pretrial discovery request:**

*“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.”*

**When David Haeg asked Robinson 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]**

**Thirty five-year Alaskan attorney Dale Dolifka’s testimony after examining all documentation in David Haeg’s case:**

*“Other than just an outright payoff of a judge or jury it is hard to imagine anyone being sold down the river more.* [Evidence indicates Haeg’s trial judge destroyed critical evidence (proof Haeg took the wolves where state officials told him to) before his jury could see it – while at the same time she was being chauffeured full-time by the state prosecution. A pretrial tape-recording also captured state prosecutors and troopers discussing how their trial evidence and trial testimony had been falsified to convict Haeg and indicates they violated an official discovery request to keep this hidden. Evidence also indicates that Haeg’s own attorneys were involved in covering up the trial judge’s and prosecution’s corruption.] *Your case has shades of Selma in the 60’s, where judges, sheriffs, & even assigned lawyers were all in cahoots together. The reason why you have still not resolved your legal problems is corruption. 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. Everyone in your case has had a political price to pay if they did right by you. You had a series of situations which everyone was doing things to protect everyone rather than you because there was a price to pay. I walked over here & lawyer A says ‘my God they’re violating every appeal rule ever. How can it be like this?’ I think almost everyone goes back to that original seminal issue that how the hell did this case go on when it appears to lay people & to me a lot of it was built on a lie in a sworn affidavit? And I don’t know how you possibly had due process with regard to the seizure of your airplane. I have read it & read it & read it. I’ve – I could write a doctors brief on it & I can’t – & – & I’m just wore out trying to figure it out.* [State’s own GPS coordinates prove they falsified evidence locations on all sworn search/seizure warrants. A tape recording proves they knew of this falsification and then never provided the asked for discovery or constitutionally required hearing that would expose this violation of the right against unreasonable search and seizures] *Cause I – I can’t. You’re just one of many. It’s absolute unadulterated self-bred corruption. I watched my community implode. Judge Hanson watch the community implode; my friend Fred Angleton watched it implode. It will get worse until the sleeping giant [public] wakes up. Everyone is scared & afraid.”* ***[R.523-3105]***

**Long-time Alaskan attorney Mark Osterman’s testimony after examining David Haeg’s case:**

*“Biggest sellout I’ve ever seen…you 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.174-303]***

**FBI Section Chiefs Doug Klein and Colton Seale on David Haeg’s case**:

*“We have received a number of complaints nearly identical and in every case our investigation expanded rapidly and implicated nearly everyone.”* ***[R.02531-2563]*** *“Obvious why Greenstein falsified her investigation - no one in America would believe they got a fair trial if the main witness against them got to chauffeur the judge presiding over their prosecution.”* ***[R.3160]***