

## In the Court of Appeals of the State of Alaska

<b>David S. Haeg,</b>	)	
	)	Court of Appeals No. <b>A-09455</b>
Appellant,	)	
v.	)	<b>Order</b>
	)	
<b>State of Alaska,</b>	)	
	)	
Appellee.	)	Date of Order: <b>June 8, 2007</b>
_____		
Trial Court Case # <b>4MC-04-00024CR</b>		

On January 22, 2007, Haeg filed a pro se opening brief with this court. We rejected Haeg's brief because it was 68 pages overlength and did not comply with various of the Alaska Rules of Appellate Procedure. On February 20, 2006, Haeg filed an amended brief which, although still deficient in some areas, was accepted by this court because Haeg is unrepresented by counsel. One notable deficiency was Haeg's failure to properly cite to the record in his brief.

On May 18, 2007, the State filed its brief in this case. In its brief, the State fails to cite to the record and does not address any of Haeg's eight claims of error by the trial court. However, the State notes that, in addition to failing to properly cite to the record in his brief, Haeg has also failed to designate a transcript or portions of the electronic record. We recognize that the State cannot adequately respond to Haeg's claims, particularly his claims of prosecutorial misconduct and errors by the trial court, unless Haeg identifies the portions of the record where such misconduct and errors allegedly occurred.

Haeg v. State of Alaska  
Court of Appeals No. A-09455  
Order of June 8, 2007  
Page Two

Accordingly,

**IT IS ORDERED:**

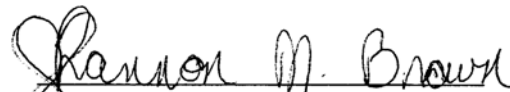
The State's brief is **REJECTED** because it fails to comply with Appellate Rules 212(c)(1)[G] & [I] and 217(g). The State must support all factual assertions, or discussions of the trial court's rulings, with specific citations to the transcripts, cassette tape or compact disc log numbers, or elsewhere in the record on appeal. References to court log notes are not sufficient. Factual assertions not supported by the record must be removed from the brief.

Haeg is **ORDERED** to designate precise portions of the electronic record on which his claims of prosecutorial misconduct (pages 13-15 of Haeg's brief) and errors by the trial court (pages 15-17 of Haeg's brief) occurred. This designation shall be filed with this court by **June 18, 2007**. Alternatively, Haeg may arrange for preparation of a transcript of designated portions of the record as provided in Appellate Rules 210(b) and 217(c). If Haeg elects to prepare a transcript, he shall notify this court of this choice by June 18, 2007, and shall file the transcript with this court by **July 10, 2007**.

The State's briefing schedule is **STAYED** pending this court's receipt of Haeg's designation of the record or preparation of a transcript.

Entered at the direction of Chief Judge Coats.

Clerk of the Appellate Courts

  
Shannon M. Brown, Deputy Clerk

Distribution:

A Andrew Peterson  
OSPA  
310 K Street Suite 403  
Anchorage AK 99501

David Haeg  
PO Box 123  
Soldotna AK 99669