



Alaska Commission on Judicial Conduct

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Marla N. Greenstein
Executive Director
E-Mail: mgreenstein@acjc.state.ak.us

CONFIDENTIAL

January 27, 2012

David Haeg
P.O. Box 123
Soldotna, AK 99669

Re: Nonjurisdictional Accusation Judge Bauman

Dear Mr. Haeg:

I have reviewed your complaint that Judge Bauman made several rulings that you believe are incorrect and made statements that you believe were false. All of your concerns seem to be related to decisions the judge made concerning your Post-Conviction Relief Petition and do not appear to raise any ethics issues under the Alaska Code of Judicial Conduct. Whether to grant oral argument, for example, is up to the discretion of the judge and is not required.

The Commission on Judicial Conduct has limited powers and duties under Alaska law (see A.S. 22.30.011) and has no power to enter into cases or reverse judicial decisions. The complaint you have filed does not appear to raise an ethical issue. The judge's decisions in the case may be appealable, but do not appear to constitute misconduct as defined in A.S. 22.30.011 (copy enclosed).

Commission staff has consequently concluded that your complaint against the judge be dismissed as being outside the scope of the commission's authority. The full commission will review your complaint at its next meeting, March 16th in Anchorage. If you have additional information you wish to present, please contact this office. If this dismissal is set aside, your complaint will be reopened and you will be informed.

Sincerely,

A handwritten signature in black ink, appearing to read "Marla N. Greenstein".

Marla N. Greenstein
Executive Director

Enclosures: A.S. 22.30.011

■ Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®
■ A record of delivery kept by the Postal Service for two years
■ A unique identifier for your mailpiece
■ **Important Reminders:**

Haeg

From: "Haeg" <haeg@alaska.net>
To: <mgreenstein@acjc.state.ak.us>
Sent: Friday, February 17, 2012 10:37 AM
Subject: Judge Bauman Complaint Dismissal
Ms. Greenstein,

Ms. Greenstein, I have yet to set a response to this email so I am sending it by mail - return receipt - for your response.

I email you today because on February 15, 2012 your assistant Emily Cohn informed me you will no longer talk to me in person and will only communicate via email or letter. In addition, when I inquired how this was possible, Ms. Cohn stated that you answer to no one.

*David S. Har
D.S.H.
2-27-12*

- (1) I wish to know the law or rule that allows you the option of not speaking with people who have filed complaints against judges.
- (2) I wish to know if it is true that you answer to no one.
- (3) I wish to know why, in dismissing my complaint against Judge Bauman, you never even mention the main issue I complained of - that Judge Bauman has falsified sworn affidavits that he is required to submit so he may be paid. This is the felony crime of perjury and violates nearly every item listed under AS 22.30.011, which describes judicial conduct over which the ACJC has jurisdiction. In your dismissal you state "All your concerns seem to be related to decisions the judge made concerning your Post-Conviction Relief Petition and do not appear to raise any ethics issues under the Alaska Code of Judicial Conduct."

In these affidavits all Alaska state judges, in order to be paid, must swear that nothing submitted to them for an opinion or decision has been undecided for more than 6 months. As I complained, Judge Bauman has been submitting these affidavits while not deciding issues I have submitted to him 12 months previous. During this same time period Judge Bauman has denied my motions for expedited consideration of my nearly 8-year old case - expedited consideration I claimed was needed so my family and I were not "starved" into submission.

Immediately after I filed my complaint to you and a criminal complaint to the Alaska State Troopers, Judge Bauman issued approximately 20 decisions in one day, some of which had been submitted to him over 12 months previous for a decision.

- (4) In addition, Judge Bauman predated several decisions, which resulted in an orders appearing as if they had been issued within the 6-month time frame.
- (5) In your dismissal you claim oral arguments in the discretion of the judge and so Judge Bauman's refusal to conduct oral argument was not a violation. Oral argument is in the discretion of the judge on motions other than motions to dismiss. I had requested oral argument on the state's motions to dismiss - thus Judge Bauman was required to hold oral argument.
- (6) Finally, I wish to know why it is not a conflict of interest for you to investigate my complaint of Judge Bauman, who I claimed was corruptly covering up for your crimes and conspiracy when you falsified your entire investigation to corruptly exonerate my trial judge (Margaret Murphy) - a central issue in my PCR claim that Judge Bauman is deciding.

Conclusion

Please fully address the issue of Judge Bauman falsifying sworn affidavits - including why this does not violate AS 22.30.011(a)(3)(A), (B), (C), (D), and (E)

Please fully address the issue of Judge Bauman predating orders so they appear to have been made just before the 6 month time limit ran out.

Please fully address the issue of Judge Bauman not holding the required oral argument after they have been requested on a motion to dismiss.

2/27/2012

Please fully address why it is not a conflict of interest for you to investigate Judge Bauman - when one of the claims against Judge Bauman is that he was covering up your corruption.

Please fully address the law or rule that allows you not to speak in person to persons filing complaints against judges.

Please fully address your assistant's claim that you answer to no one.

Finally, as I asked Ms. Cohn, I would like to know when ACJC public testimony is scheduled on March 16 so I and others may attend and testify.

Thank you for your prompt consideration of the above issues.

David Haeg
907-262-9249

2/27/2012