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IN THE COURT OF APPEALS FOR THE STATE OF ALASKA

DAVID HAEG)
)
 Appellant,)
)
 vs.)
)
 STATE OF ALASKA,) Case No.: A-09455/A-10015
)
 Appellee.)
)
 _____)
 Trial Court Case #4MC-S04-024 Cr.

3/24/08 OPPOSITION TO APPELLEE’S MOTION TO STRIKE PORTIONS OF APPELLANT’S EXCERPT OF RECORD FILED 3/17/08

VRA CERTIFICATION: I certify this document and its attachments do not contain the (1) name of victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

COMES NOW Pro Se Appellant, DAVID HAEG, in the above referenced case and hereby respectfully asks this Court of Appeals to deny the State’s motion to strike portions of Appellant’s excerpt of record. As Haeg’s motion makes clear it is very prejudicial to Haeg to not only have had no transcripts whatsoever for his opening brief but also that only the State’s designation of record was later transcribed. If Haeg is deprived of transcripts of the portions of the record which support his appeal he will be at a severe disadvantage. In preparing his appeal Haeg’s wife, Jackie, transcribed those hearings the Court never ordered to be transcribed. It is in this Court’s power and authority to allow these transcripts to be made by Jackie Haeg. David & Jackie Haeg

very respectfully order this court to do so so that Haeg may be on equal footing with the State. If this is not acceptable to this Court maybe it would be possible for the person who transcribed the State's designation to check Jackie Haeg's work and to certify them as being true and correct – although Jackie Haeg has sworn under penalty of perjury, punishable by a felony conviction, that these transcripts are true and correct to the best of her knowledge and ability. The Alaska Supreme Court, in Haeg's proceedings against attorney Brent Cole, has accepted Jackie Haeg's transcriptions of far more material. In addition all the extensive transcriptions accepted by the Trial Court and utilized by both the State and Haeg during Haeg's sentencing were prepared by Jackie Haeg, with no finding of error or objections by the State.

As far as Mr. Harrower's letters, these have all been made part of the official record by the Trial Court. Harrower's character reference letter was made a part of the official record on two separate occasions - first on November 4, 2004 [*See* enclosed copy of notice of filing letters for sentencing hearing] and then on September 21, 2005 [*See* copy of notice of filing letters for sentencing hearing]. Harrower's open letters to the Governor were made part of the record during Haeg's sentencing hearing. [*See* Tr.1430-34.] A picture of the record containing Mr. Harrower's letter, taken while in the Kenai Court, is included.

Based on the above Appellant Haeg respectfully asks this court to deny the State's motion to strike portions of Appellant's excerpt of record dated March 17, 2008.

This motion is supported by the accompanying affidavit.

RESPECTFULLY SUBMITTED this _____ day of _____ 2008.

David S. Haeg, Pro Se Appellant

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____ 2008,
a copy of the forgoing document by ___ mail, ___ fax, or
___ hand-delivered, to the following party(s):

Andrew Peterson, Attorney, O.S.P.A.

U.S. Department of Justice

By: _____