

**In the Court of Appeals of the State of Alaska**

David S. Haeg,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. A-09455

**Order**

Date of Order: **October 23, 2007**

Trial Court Case # 4MC-04-00024CR

Before: Coats, Chief Judge, and Mannheimer and Stewart, Judges.

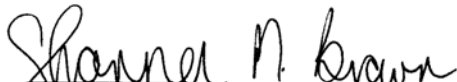
Haeg has asked us to clarify our order of August 17, 2007. We previously indicated that we would address Haeg's claim that the trial court erred in revoking his guiding license only when we decided his appeal. This is still true. But it later appeared that Haeg was claiming that the trial court imposed an illegal sentence. Criminal Rule 35(a) allows a defendant to file a motion in the trial court based upon a claim that the trial court imposed an illegal sentence. We therefore pointed out this possibility to Haeg.

Haeg argues that there are good reasons for not requiring him to pursue his post-conviction relief claim in McGrath. But Criminal Rule 35.1(c) requires a post-conviction relief application to be filed "at the court location where the underlying conviction is filed." Haeg can ask the trial court to allow him to file and/or proceed in a different location. But this is a matter for the trial court to decide.

We again decline Haeg's motion to stay the revocation/suspension of his guiding license.

Entered at the direction of the court.

Clerk of the Appellate Courts

  
Shannon M. Brown, Deputy Clerk