

# Court of Appeals/Judge Morse Oral Argument Outline

**“A Most Dangerous Domestic Enemy” a non-fiction book by David Haeg**

1. I am going to mail you and the state my Outline – so nothing is unclear.
2. Swear to tell the truth.
3. Ask state attorney to swear to tell the truth.
4. This appeal concerns evidence of systemic judicial corruption greatly concerning the public welfare and safety.
5. After 16 years I cannot give my beautiful wife and daughters back the life that was stolen from them. Neither can this Court of Appeals. But I can make sure you corrupt judges, troopers, and attorneys all go to jail, so you do not destroy another family.
6. There is direct evidence that Marla Greenstein, Alaska’s only investigator of judges for the past 31 years, is falsifying official investigations and certified documents to make sure corrupt judges are not removed from office.
7. There are tape-recordings of DAs and state troopers discussing, before trial, how their physical evidence has been falsified so they can frame someone at trial.
8. There is direct evidence that private defense attorneys are lying to their own clients to help the state frame them.
9. There is direct evidence that judges on this Court of Appeals have falsified official documents and sworn affidavits to cover up and delay exposure of the forgoing corruption.
10. There is evidence that the AK Commission on Judicial Conduct, Bar, Department of Law, and Trooper Internal Affairs are covering up for the forgoing individuals instead of investigating and/or prosecuting them.
11. When grand juries from both Anchorage and Kenai started investigating the public officials and entities who are endangering the public welfare and safety, these same public officials and entities ordered the grand juries to stop investigating. This is a conflict of interest and directly violates Alaska’s constitution and law:

**Alaska Constitution, Article 1, Section 8** *The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.*

**AS 12.40.030 Duty of inquiry into crimes and general powers.** *The grand jury shall inquire into all crimes committed or triable within the jurisdiction of the court and present them to the court. The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety.*

**Alaska Constitutional Convention,** at 1307 *"The grand jury is preserved, for all purposes, particularly for investigation of public officials."*

12. Tape-recordings prove Deputy Attorney General John Skidmore outright lied to Senator Peter Micciche and Representative Mike Chenault when they asked Deputy AG Skidmore how he and DA Leaders could legally and constitutionally stop the grand juries from investigating evidence of corruption in DA Leaders and the other public officials.

13. When this scandal finally explodes the public will be justified in demanding that the entities supposed to investigate and prosecute be abolished and replaced by grand jury investigations – or be placed into federal receivership.

14. More reasons why a growing number of us believe there is systemic corruption that endangers the public safety and welfare – and what we believe a grand jury will find when they are finally allowed to investigate:

15. After the state told me it needed my help as a commercial bush pilot and master big game guide to kill wolves for them, gave me a permit to do so, and told me where to kill them, the state prosecuted me for killing wolves in my family's guide area to benefit our business – even though the state's own GPS coordinates proved this was false and proved I killed the wolves exactly where the state told me to.

16. Brent Cole was the first criminal defense attorney we hired. During his deposition Cole admitted he told us it was not a legal defense that I killed the wolves where the state told me to. This is in fact a legal defense. At the time Cole told us I must plea out.

17. For a plea agreement that also required us not to guide for a year, DA Leaders and Trooper Brett Gibbens required me to mark the kill locations on their map.

18. After the guide year was given up, DA Leaders reneged and demanded that we also give him the airplane – even though that was not part of the original agreement. Cole told us there

was nothing he could do – when in fact he could have enforced the agreement because of our detrimental reliance on it. Cole has since testified that if he had tried to defend me DA Leaders would have harmed him and his business. We believe a grand jury investigation will find that DA’s are blackmailing defense attorneys so they will sellout and help frame their own clients.

19. Because the state seized the airplane we needed to run our business, they were constitutionally required to inform us, “*within days if not hours*”, of an opportunity to protest. This Court of Appeals ruled we were given this notice because we hired Cole a couple weeks after the seizure and he would have told us about this. Yet the state was supposed to give us this notice – not our lawyer – and prior to your ruling we pointed out to you that Cole has testified he told us at the time we could not protest – even though the state provably falsified the evidence locations on the warrants to justify taking our business airplane. We believe a grand jury investigation will find this Court of Appeals is corruptly covering up for the state and for attorneys that have sold out their own clients.

20. Our business attorney Dale Dolifka advised firing Cole, submitting the evidence that I killed the wolves exactly where the state told me to, and hiring a new criminal attorney. We did all of this, hiring private defense attorney Arthur Robinson. Without telling us, Robinson filed a written discovery request with DA Leaders – specifically asking for a copy of anything to be used against me at trial and tape-recordings of any pretrial meetings with state witnesses.

21. Robinson told us everything done with Cole was “*water under the bridge*” and that we would have to start over. Robinson also said we could not bring up that I killed the wolves where the state told me to.

22. Robinson recommended going to trial because he found a “*no doubt win*” defense that the court did not have subject-matter jurisdiction because DA Leaders failed to swear to the charging information.

23. Robinson told us that we could not bring up any other defense as this would “*admit*” the court had subject-matter jurisdiction.

24. My weeklong trial occurred in McGrath’s Iditarod Sled Dog Race checkpoint building. Judge Margaret Murphy flew in from Aniak to conduct trial (as McGrath has no judge or roads to any other city, town, or village) and was chauffeured full-time everywhere by Trooper Gibbens, who lived in McGrath, had a vehicle, and was the main trial witness against me.

25. Robinson told us he could not protest the chauffeuring because “*this is the way it is in the villages*”.

26. I lost at trial with the subject-matter jurisdiction defense. Robinson told us that it would win on appeal and filed a written appeal based entirely on his subject-matter jurisdiction defense.

27. I ordered Robinson to subpoena Cole to my sentencing so I could prove how my family had already given up a year guiding for a plea agreement Cole negotiated with DA Leaders, DA Leaders reneged on, and Cole and Robinson said could not be enforced.

28. When Cole failed to show up as subpoenaed, Robinson told us there was nothing we could do about it and never protested when DA Leaders and Trooper Gibbens testified they had no idea why we gave up guiding for a year before I was sentenced. So I never got credit for the year of guiding already given up for the plea agreement. In other words, DA Leaders, Trooper Gibbens, Cole, and Robinson all lied and worked together to cover up the fact we had given up a year of guiding for a plea agreement – meaning it was constitutionally required to be enforced. Which in turn means my trial and conviction on severe charges was invalid.

29. This Court of Appeals ruled that because Cole and I were engaged in “*a contentious fee arbitration*” during my sentencing, Robinson didn’t have to enforce Cole’s subpoena to my sentencing. Yet my date-stamped application proves I didn’t even file for fee arbitration against Cole until 5 months **AFTER** I was sentenced. We believe a grand jury investigation will find that this Court of Appeals falsified an official ruling/document and obstructed justice to cover up a conspiracy between DA Leaders, Trooper Gibbens, Robinson, and Cole to deprive us of credit for the guide year we had already given up for a plea agreement. We believe a grand jury will find this guide year, given up for the plea agreement, also means the plea agreement with minor charges was constitutionally required to be enforced – meaning my conviction on far more severe charges is invalid. We believe a grand jury will find this is the motive for this Court of Appeals to falsifying its written ruling.

30. I was sentenced to nearly 2 years in prison; \$20,000 fine; 5-year guide license suspension (no credit for the year already given up for the plea agreement DA Leaders unconstitutionally took from us); and forfeiture of our business airplane and other business property. And after my 5-year license suspension was over, the state refused to return my license.

31. I asked Robinson for proof that there was no subject-matter jurisdiction in my case. Robinson told me the U.S. Supreme Court cases **Gerstein v. Pugh** and **Albrecht v. United States** proved this. Yet when I looked them up they proved the exact opposite. I also found out subject-matter jurisdiction is set by state statute and **AS 22.15.060** proved there was subject-matter jurisdiction in my case from the very beginning. We believe a grand jury investigation

will find that Robinson used a trial defense he knew was invalid and then, to cover up afterward, lied to us that Gerstein v. Pugh and Albrecht v. United States supported his trial defense.

32. I told Robinson I was going to sue everyone. Robinson told me that Alaska courts in Shaw v. State, Department of Administration ruled no convicted person can sue unless their conviction is overturned. We believe a grand jury investigation will find this why I still remain convicted over 16 years after being framed.

33. Our business attorney Dale Dolifka advised we fire Robinson. We did and obtained Robinson's file on me. In it we found a letter Cole had written Robinson before my sentencing – a letter Robinson never told us about. In the letter Cole stated he did not intend on obeying Robinson's subpoena to my sentencing. We believe a grand jury investigation will find this is additional evidence that Cole and Robinson conspired to keep Cole from testifying at my sentencing – so it would not come out my trial and conviction on severe charges was invalid.

34. When I claimed my criminal attorneys had conspired with the state to frame me, and asked to represent myself, Magistrate David Woodmancy stated I was “*so far out in the ozone*” and required that I submit to a complete psychological examination. Psychologist Tamara Russell conducted a full battery of tests at the Alaska Psychological Institute, reported that I have no deficits in memory or intelligence, and stated the conspiracy I encountered in the legal system also occurred in the medial system – that when a doctor committed malpractice, sometimes the other doctors and the medical board stepped in to cover up what happened.

35. After I claimed Robinson sold me out, the state deposed him. Robinson testified that he told me during trial and on appeal that my only defense was “*subject-matter jurisdiction*” – and testified that this was the defense he used during my trial and appeal. [Rob. Dep.10-11,126-135] **But he also testified that he knew, PRIOR TO TRIAL, that his “*subject-matter jurisdiction*” defense was completely invalid.** [Rob. Dep.10-11,126-135] We believe a grand jury investigation will find that this is irrefutable proof Robinson had sold me out – and instead of working for me he was in reality working with the state to frame me and then to keep me unjustly convicted during my appeal.

36. During the state's deposition of him Robinson testified that in Alaska there is a “*good old boy's system of judges, attorneys, and troopers who protect their own*” – and admitted he told me that Gerstein v. Pugh and Albrecht v. United States supported his “*subject-matter jurisdiction*” defense.

37. In Robinson's file we also found a copy of his pretrial discovery request to DA Leaders – which specifically asked for any physical items to be used against me at trial and a copy of any

pretrial meetings with state witnesses. We realized that, in violation of Robinson's specific discovery request, DA Leaders had never provided us a copy of the map given to my jury as reason to convict me or a copy of the tape-recorded pretrial meeting between DA Leaders, Trooper Gibbens, and state witness Tony Zellers.

38. After first refusing to do so, the state provided a map copy and tape-recording. We realized the map was the one on which I had been required to place the wolf kill locations for my plea agreement. We realized the state violated **Alaska Rule of Evidence 410** by using it against me at trial. We also realized someone had placed false guide boundaries on the map to corruptly make it seem as if the wolves were killed in our guide area instead of where the state had told me to kill them. We were shocked to find the tape-recording captured DA Leaders and Trooper Gibbens discussing, **BEFORE TRIAL**, how their trial map had been falsified so they could convict me at trial. We believe a grand jury investigation will find that DA Leaders and Trooper Gibbens conspired to commit felony evidence falsification – and then committed more felonies by giving a jury physical evidence they knew was false – backed up with sworn testimony they knew was false when given (DA Leaders solicited, and Trooper Gibbens gave, sworn trial testimony that the wolves were killed in our guide area - when the pretrial tape-recording of DA Leaders and Trooper Gibbens proves they knew the wolves were not killed in our guide area.) We also believe a grand jury will find that DA Leaders intentionally violated an official discovery request to keep his and Trooper Gibbens felony conspiracy from being found out.

39. I filed an emergency motion, with Judge Carl Bauman, for an immediate evidentiary hearing on newly discovered evidence proving I had been framed. Judge Bauman denied my motion. We believe a grand jury will find that Judge Bauman committed felony obstruction of justice to cover up the felony crimes and conspiracy by DA Leaders and Trooper Gibbens.

40. We asked to see the court record of my trial. We discovered that the evidence proving I had killed the wolves where the state had told me to had been removed out of the record before trial, while the evidence's cover letter remained in the record, proving the evidence had been in the court record and then illegally removed. In other words, my jury never got the evidence that I killed the wolves exactly where the state told me to. Instead, they were only given intentionally falsified evidence I killed the wolves in our guide area to benefit our family's guide business. Judge Murphy was in possession of the court record during my trial – while Trooper Gibbens, the main trial witness against me, was chauffeuring her morning, noon, and night. Remember that our criminal attorneys told us this was not a legal defense – when in fact it is a legal defense. We believe a grand jury investigation will find that when we admitted the evidence over my criminal attorneys' protests, Judge Murphy - at Trooper Gibbens' request - illegally destroyed it before my jury could see it. In other words, when our criminal attorneys' corrupt

advice didn't work to keep the truth from my jury, Judge Murphy and Trooper Gibbens stepped in to finish the job.

41. We complained that Judge Murphy, while she was corruptly chauffeured by Trooper Gibbens, destroyed my already admitted evidence (proving I killed the wolves where the state had told me to) before my jury could see it. The state never denied that that I shot the wolves where they told me to – and never denied that Judge Murphy destroyed this evidence so my jury would never see it. Marla Greenstein, the only investigator of Alaska's judges for the past 31 years, asked for witnesses to the chauffeuring. We provided her a written list of 4, other than myself and my wife Jackie. To exonerate Judge Murphy, Greenstein reported that she interviewed all 4 witnesses and reported that none of them saw Trooper Gibbens chauffeuring Judge Murphy. Judge Murphy also swore out an affidavit that she never was chauffeured by Trooper Gibbens during my prosecution. About this time we found the official tape-recording of my trial captured Judge Murphy and Trooper Gibbens joking about the rides Trooper Gibbens was giving Judge Murphy while she presided over my prosecution. We believe a grand jury will find that Judge Murphy intentionally falsified a sworn affidavit to cover up her corrupt relationship with Trooper Gibbens during my trial.

42. Over my protest Judge Murphy could not conduct and decide a case criminally implicating her, the state assigned Judge Murphy to conduct and decide my post-conviction relief proceeding. I filed a motion to disqualify Judge Murphy for cause, Judge Murphy denied my motion, and, as required by **AS 22.20.020**, an independent judge was automatically and immediately assigned to review Judge Murphy's denial. Judge Stephanie Joannides was assigned and asked for evidence against Judge Murphy, so I contacted the same 4 witnesses I provided to judge investigator Greenstein. All 4 swore out affidavits that they had each personally witnessed Trooper Gibbens chauffeuring Judge Murphy during my prosecution, and each swore that Greenstein had never contacted them about this – in direct opposition to Greenstein's report. We believe a grand jury investigation will find that Greenstein falsified her official report to cover up Judge Murphy's corruption during my trial.

43. Greenstein stated that *"Justice doesn't matter. Only the appearance of justice matters."* We believe a grand jury will find that other corrupt people thought this also, such as those who wrote *"Shower"* on the door to the Auschwitz gas chamber.

44. I provided Judge Joannides with Greenstein's report, the witness affidavits proving it was corrupt, and the court tape-recording proving Judge Murphy committed perjury in her affidavit.

45. Judge Joannides ordered Greenstein to provide the documentation of her investigation of Judge Murphy *"for in-camera review"*. Greenstein refused to provide the documentation as

Judge Joannides ordered. We believe a grand jury investigation will find this is additional evidence of Greenstein's corruption and cover up.

46. After Judge Joannides ruled I could subpoena them, Judge Murphy and Magistrate Woodmancy (Judge Murphy's aide during my trial) hired Peter Maassen (currently an Alaska Supreme Court Justice) to successfully quash my subpoenas that would have required them to appear and testify about Judge Murphy riding around with Trooper Gibbens during my trial.

47. Judge Joannides removed Judge Murphy from my case. Judge Joannides then certified the authenticity of the evidence proving the corruption of Greenstein and Judge Murphy, placed the evidence into the court record of my case, and sent copies to the Alaska Commission on Judicial Conduct, Judicial Council, Bar, Department of Law, and Ombudsman. [R.1282-84] Not one entity investigated. The Ombudsman did say she didn't have the horsepower to go up against Greenstein. We believe a grand jury investigation will find that the forgoing entities are covering up corruption by the very public officials the entities are supposed to investigate and prosecute.

48. This Court of Appeals reworded Judge Joannides' order removing Judge Murphy. Judge Joannides ruled *"On July 28, 2010, this court issued an order narrowing the issue of whether Judge Murphy should recuse herself to the question of whether her contacts with prosecution witness Trooper Gibbens during trial and sentencing proceedings warranted recusal on the appearance of impropriety. I found that, at a minimum, there was an appearance of impropriety"* [August 25, 2010 and March 25, 2011 orders] This Court of Appeals reworded this to *"Judge Murphy was removed because she may be called as a witness during Mr. Haeg's post-conviction relief proceeding."* Canon 2 of the Alaska Code of Judicial Conduct prohibits a judge from the appearance of impropriety while presiding over a prosecution - meaning Judge Joannides' actual ruling requires I be given a new trial. We believe a grand jury investigation will find this Court of Appeals falsified Judge Joannides' ruling to keep me corruptly convicted and keep the corruption covered up.

49. Using the certified evidence provided by Judge Joannides, we filed a Bar complaint against attorney Greenstein. In a certified written Bar response, Greenstein claimed she didn't just contact the witnesses we provided, she also contacted Robinson. Yet when the state deposed him afterward, Robinson testified Greenstein had never contacted him either and that he remembered Trooper Gibbens chauffeuring Judge Murphy during my trial. In other words, when Greenstein got caught lying about contacting all 4 witnesses we provided her - and falsifying what those witnesses would have said had they been contacted - even she thought it looked bad. She thought she needed at least one witness present during my trial who would verify that she contacted them during her "investigation" and would verify Judge Murphy never rode with Trooper Gibbens during my prosecution. She chose Robinson to be her partner in crime - but Robinson refused to lie for her either - meaning she had now committed perjury to cover up her corrupt investigation. We provided this additional evidence of Greenstein's perjury and

corruption to the Bar and still the Bar didn't do anything. We believe a grand jury investigation will find Greenstein committed felony perjury to cover up her corrupt investigation and exoneration of Judge Murphy. We also believe a grand jury investigation will find that the Bar is corruptly covering up for Greenstein.

50. We hand-delivered this evidence to FBI Section Chief Doug Klein, who stated: *"It's obvious why Greenstein falsified her investigation. No one would believe you got a fair trial if your judge was riding around with the main witness against you."* [R.02531-2563]

51. Most witnesses who Greenstein falsified contacting and whose testimony she falsified asked to testify to the 9-member Alaska Commission on Judicial Conduct about Greenstein's corruption. The ACJC refused the request, even though their bylaws state they encourage public testimony concerning the ACJC – and Greenstein is the ACJC's executive director and only judge investigator. When the witnesses showed up anyway, hoping to testify at the ACJC's quarterly meeting, they were stopped at the door by a trooper SWAT team. We believe a grand jury investigation will find that all 9 members of the ACJC are covering up the corruption of its executive director and only judge investigator.

52. According to Anchorage Daily News representatives Patrick Doyle and Rustan Burton, when the ADN started publishing the facts concerning judge investigator Greenstein, the ADN was threatened with lawsuits by Greenstein and multiple judges. ADN reps stated they could not continue publishing the facts because they would lose in court because the lawsuits would be decided by those filing the lawsuits. We believe a grand jury investigation will find that Greenstein and corrupt judges are actively threatening the media to cover up the corruption.

53. Without conducting the required and asked for evidentiary hearing, Judge Bauman ruled my conviction would stand but ruled Judge Murphy riding around with Trooper Gibbens during my trial required I be resentenced. To us it seems strange that the corruption of my judge during my trial would mean my sentence was invalid but not my conviction. Magistrate Woodmancy was assigned to resentence me. I motioned that Woodmancy must be disqualified because he had hired Alaska Supreme Court Justice Peter Maassen to quash my subpoena requiring Woodmancy to testify about Judge Murphy riding around with Trooper Gibbens during my trial. My motion was denied.

54. I timely appealed Judge Bauman's decision to not overturn my conviction. I also told Magistrate Woodmancy I must have 4 whole days to present evidence witness testimony at my resentencing - because I was going to prove I was framed by DA Leaders, Trooper Gibbens, Judge Murphy, and my own attorneys. The state said my resentencing would only require minutes and requested a *"protection order"* to prevent me from presenting evidence and/or

witness testimony at my resentencing. Magistrate Woodmancy started to issue the protection order and I indicated to him that this would happen over my dead body. Magistrate Woodmancy then denied the state's request and scheduled a full 4 days for my resentencing.

55. I asked the state what evidence and witness testimony they would present at my resentencing. The state responded they would only present one witness, Robert Fithian, who would testify that I told him that I was going to use the Wolf Control Program permit to kill wolves in my family's guide area to benefit our guide business. I contacted Fithian, who confirmed this indeed was going to be his sworn testimony. I told Fithian I had direct evidence that DA Leaders and Trooper Gibbens conspired to frame me at trial for this. Fithian stated he did not know this. I then asked Fithian why he would be willing to commit felony perjury against me. Fithian replied that the state worked too hard to get the Wolf Control Program going to see my case end the program. It was at this time we realized I had been framed to protect the Wolf Control Program - instead of being framed so the state could take our airplane, wilderness lodge, runway, and numerous spike cabins. We realized that I had been framed because the state was not authorized to tell me to kill wolves where they had told me to kill them. We realized this was the evidence that animal rights activists needed to shut down the Wolf Control Program permanently. We realized this was why the state had Judge Murphy destroy the evidence the state told me to kill the wolves where I had. We also realized why the state had falsified physical evidence and testimony to prove I killed the wolves in our guide area to benefit our guide business – to provide a motive, other than following state orders, for me to kill wolves in an area not authorized for wolf control. We believe a grand jury will want a copy of the tape-recording of my conversation with Fithian. We believe a grand jury will want to subpoena Fithian and, in addition to confirming the above, ask him if the state threatened, coerced, and/or bribed him to commit felony perjury.

56. After my tape-recorded conversation with Fithian, the state appealed Judge Bauman overturning my sentence, and, even though the state filed their appeal after the time limit to do so had run out, this Court of Appeals granted the state's appeal, cancelled my already scheduled 4-day resentencing hearing, and then permanently reinstated my sentence of 2 years in prison, 5-year guide license suspension (after the 5 years the state refused to return it), airplane/business property forfeiture, and \$20,000 fine. We believe a grand jury investigation will find this Court of Appeals corruptly granted the state's appeal after the time limit for doing so had run out – and then corruptly reinstated my sentence – all to keep systemic judicial corruption covered up.

57. Five years after I was originally sentenced, the state motioned Magistrate Woodmancy to modify the sentence against me to include the corporation "The Bush Pilot Inc." The state explained they tried to obtain title of our business airplane so they could sell it - but the Federal Aviation Administration refused to transfer title to the state because the sentence was against me

and the airplane was owned by the corporation. Even though I informed both Magistrate Woodmancy and the state that **AS 12.55.088** specifically prohibits modification of a sentence more than 180 days after the original sentence, the state persisted and Magistrate Woodmancy in fact modified my sentence - 5-years after the original sentence - to include a corporation which never got a single hearing - despite the fact it asked for one and the state first seized and then permanently took the corporation's most critical asset. We believe a grand jury investigation will find that the state and Magistrate Woodmancy conspired and broke the law to steal hundreds of thousands of dollars in property from The Bush Pilot Inc.

58. After the state and Magistrate Woodmancy conspired to steal the airplane, the state told me they would give the airplane back if I agreed not to sue the state. I declined. We believe a grand jury investigation will find the state is corruptly trying to buy its way out of a massive scandal – exactly as it did in the case of the Fairbanks four – where it agreed to let four framed Alaskans out of jail only if they agreed not to sue.

59. We received a tape-recording of Trooper Gibbens coaching a witness before my trial. In the tape-recording Trooper Gibbens tells the witness that my case may end the Wolf Control Program and that “*the governor* [at the time Frank Murkowski] *himself is on the line.*” Cole was also recorded stating that he believed Governor Murkowski himself called DA Leaders and Judge Murphy and told them to make an example of me.

60. During tape-recorded sworn fee arbitration proceedings Cole testified that his tactic for defending me was to have me “*fall on my sword*”. When I asked him what this meant and if I ever agreed to this tactic, state attorneys told Cole not to answer – and Cole refused to answer – in violation of the rules governing depositions.

61. To delay deciding my appeal for years after oral argument, the judges of this Court of Appeals falsified numerous pay affidavits – even after I informed you this meant you were committing perjury each time you did so. In response, this Court of Appeals issued a written ruling that **AS 22.07.090** does not apply to Court of Appeals judges. Yet this is disturbing because **AS 22.07.090** specifically states it applies to judges “*of the court of appeals.*” We believe a grand jury investigation will find this Court of Appeals committed numerous counts of felony perjury to delay or prevent exposure of systemic corruption within Alaska's judicial system – and also find that this Court of Appeals falsified an official written ruling to cover up its felony conduct.

62. After years of delay, this Court of Appeals remanded my case for an evidentiary hearing on a couple issues: if Robinson was ineffective for not protesting Judge Murphy's use of false evidence to sentence me; if Robinson gave me defective advice on the strength of my defense; if

Robinson were ineffective for not enforcing the plea agreement Cole made with DA Leaders; if Robinson was ineffective for not protesting Judge Murphy riding around with the main trial witness against me; and the extent of contact between Judge Murphy and Trooper Gibbens during my trial. [R.3390-3439]

63. To eliminate an evidentiary hearing on the tape-recording of DA Leaders and Trooper Gibbens discussing, **BEFORE TRIAL**, how they had falsified their trial map to frame me, this Court of Appeals ruled, in writing, that I failed to brief this issue and never provided any evidence supporting it. [R.3390-3439] Yet the video of my oral arguments to this court [See video on YouTube “David Haeg vs. State of Alaska”] shows me presenting you the map used against me at trial and telling and showing you how it had been falsified to convict me. The video shows me explaining to you how DA Leaders and Trooper Gibbens tape-recorded themselves discussing, **BEFORE TRIAL**, how their map had been falsified to convict me. The court record proves I gave you a copy of this tape recording. The court record also proves I gave you 25 pages of briefing on this issue alone. We believe a grand jury investigation will find this Court of Appeals falsified official documents and committed felony obstruction of justice to cover up a felony conspiracy between DA Leaders and Trooper Gibbens to manufacture and use false trial evidence and testimony to frame a U.S. citizen during a jury trial.

**Napue v. Illinois, 360 U.S. 264 (U.S. Supreme Court 1959)** *Conviction obtained through use of false evidence, known to be such by representatives of the State, is a denial of due process.*

**Mesarosh v. U.S., 352 U.S. 1 (U.S. Supreme Court 1956)** *[T]he dignity of the U.S. Government will not permit the conviction of any person on tainted testimony. The government of a strong and free nation does not need convictions based upon such testimony. It cannot afford to abide with them.*

**Mooney v. Holohan, 294 U.S. 103 (U.S. Supreme Court 1935)** *Requirement of 'due process' is not satisfied by mere notice & hearing if state, through prosecuting officers acting on state's behalf, has contrived conviction through pretense of trial which in truth is used as means of depriving defendant of liberty through deliberate deception of court & jury by presentation of testimony known to be perjured.*

**Giles v. Maryland, 386 U.S. 66 (U.S. Supreme Court 1967)** *The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, [is] implicit in any concept of ordered liberty...*

**Giglio v. United States, No. 70-29 (U.S. Supreme Court 1972)** *As long ago as Mooney v. Holohan, this Court made clear that deliberate deception of a court and jurors by the presentation of known false evidence is incompatible with 'rudimentary demands of justice.'*

64. To eliminate an evidentiary hearing on 31-year sole judge investigator Marla Greenstein falsifying official investigations to cover up for corrupt Alaskan judges, this Court of Appeals ruled, in writing, that I failed to brief this issue and never provided any evidence supporting it. Yet the court record proves I gave you 54 pages of briefing on Greenstein falsifying official investigations to cover up for corrupt judges. The court record also proves I gave this court 77 pages of evidence proving this that Judge Joannides put together and certified as true – including the tape-recordings, certified documents, and witness affidavits/testimony proving Greenstein falsified an official judge investigation and then committed perjury to cover up. [R.2762-2861] We believe a grand jury investigation will find this Court of Appeals falsified official documents and committed felony obstruction of justice to cover up that judge investigator Greenstein is falsifying official investigations to keep corrupt Alaskan judges on the bench – and then is committing perjury to cover her tracks.

65. This Court of Appeals remanded my case for an evidentiary hearing on the issue of Robinson not protesting Judge Murphy's use of false evidence to sentence me. Yet after carefully looking through the court record, I could not find a single word of briefing or evidence on this ever being given to this court. [See record] The difference in the 3 issues above is that the first two concern felony criminal conduct by high-level government officials while the last would prove nearly nothing. We believe a grand jury investigation will find this is positive proof that this Court of Appeals is obstructing justice by falsifying official documents to eliminate evidentiary hearings that would prove felony corruption by public officials – issues which greatly concern the public welfare and safety.

66. This Court of Appeals ruled I never provided any evidence I was given immunity. Yet the court record proves I gave this Court of Appeals a copy of attorney Brent Cole's and attorney Kevin Fitzgerald's tape-recorded sworn testimony that DA Leaders gave me immunity in exchange for the interview I gave him, and that after I gave the interview, DA Leaders outright told Cole and Fitzgerald that he (DA Leaders) "*would not be honoring the immunity.*" We believe a grand jury will find that this Court of Appeals falsified another official document to cover up I was given immunity preventing prosecution but was prosecuted anyway without my attorneys protesting – and find that DA Leaders outright told my attorneys he was going to violate my immunity because he knew my attorneys were working for him and not me.

67. Numerous times I appealed this Court of Appeals corrupt decisions to the Alaska and U.S. Supreme Courts. Both courts refused to consider my appeals.

68. Greg Kaplan, at the time Congressman Don Young's Deputy District Director, set up and attended an all-day meeting between F.B.I. Section Chief Colton Seale, myself, long-time

Alaskan attorney Dale Dolifka, and now deceased Alaska State Trooper Wendell Jones. After we presented the evidence that my own attorneys conspired with DA Leaders, Trooper Gibbens, and Judge Murphy to frame me – and that this was covered up by the Department of Law, Bar, etc, Section Chief Seale stated that he had *“received a number of complaints nearly identical and in every case our investigation expanded rapidly and implicated nearly everyone.”* Section Chief Seale called Dolifka back to testify the next day about all the cases, other than mine, in which similar corruption occurred. We believe a grand jury investigation will find the corruption is widespread and systemic - and may wish to question Section Chief Seale about what, if anything, the F.B.I. is doing about it.

69. The F.B.I. requested I present the evidence of crimes by Trooper Gibbens to Alaska State Trooper Internal Affairs. I called Lieutenant Keith Mallard, at the time the sole investigator for Trooper Internal Affairs. Lt. Mallard informed me he had heard of my case, said all I had was sour grapes over being convicted, said he would not dignify my evidence with an address to send it to, and hung up me. We believe a grand jury investigation will find Trooper Internal Affairs is covering up trooper corruption instead of investigating and prosecuting it.

70. Assistant Special Agent in Charge David Heller, the #2 F.B.I. official in Alaska at the time, called me and stated that I needed an in-person meeting with Alaska’s Attorney General, the head of the Alaska State Troopers, and the head of the Bar Association – and that I could tell them all that ASAC Heller thought such a meeting was necessary. The AG’s office wrote back that they refused to attend such a meeting and would no longer respond to my correspondences. The Bar refused to attend. Alaska State Trooper Colonel Steve Bear, the Director of the Alaska Wildlife Troopers, agreed to a meeting. On January 22, 2015 Colonel Bear met with myself and witnesses who Greenstein falsified contacting and whose testimony she falsified. For 5 hours we gave Colonel Bear evidence (copies of the tape-recording/map proving DA Leaders and Trooper Gibbens falsified trial evidence, Judge Joannides’ certified evidence against Greenstein, etc, etc.) and answered his questions. Colonel Bear stated he would investigate and call me in two weeks to discuss what he found. After two weeks passed Colonel Bear asked for another two – then another two. Finally, after several months Colonel Bear’s secretary called me and stated Colonel Bear could not talk to me until he had talked to his own attorney. It is now over 5 years later and I still have yet to hear from Colonel Bear. We believe a grand jury investigation may want to subpoena Colonel Bear, ask him what he found during his investigation, and ask him why he would need to talk to his own attorney before discussing what he found.

71. In 2014 I was given documents from Fed Sims’ prosecution. These included affidavits, motions, and emails from state prosecutors and troopers - including Trooper Gibbens. They prove beyond doubt there was a warrant violation and cover up that included perjury and discovery violations by troopers and state attorneys. In one of the emails, state attorneys were asked by the troopers if they should include in discovery the emails capturing the troopers discussing how their tracking/recording device killed Sim’s airplane battery and how Sims was

having to hand-prop start his airplane because of this. The state's motion and the troopers affidavit (which all denied the tracking/recording device affected the airplane) were written after these emails – proving that state attorneys knew their motion was false and proved that they knew the troopers affidavit was false when they used it to support their motion. It proves the troopers knew they were committing perjury when they wrote the affidavit. It also proves the troopers, in specific violation of a warrant, had harmed the integrity of an aircraft and then, knowing the airplane was unsafe to fly, let innocent and unknowing people fly in it. We believe a grand jury investigation will confirm the corruption above, confirm it is nearly identical to the corruption that occurred in my case, and confirm the corruption stems from many of the same public officials.

72. After Ken McCoy (now the Anchorage Police Department's Deputy Chief of Police) read the documents in my case, he stated he believed the Anchorage Police Department should start investigating the Alaska State Troopers.

73. I gave my employer Jim Jansen (owner of Lynden, Alaska Marine Lines, Knik, etc) a copy of the above evidence. Jansen had Representative Mike Chenault hand-deliver it to then Attorney General Daniel Sullivan. There was no response whatsoever from AG Sullivan. Sullivan is now one of Alaska's U.S. senators. We believe a grand jury investigation may want to inquire why Sullivan did nothing.

## **Judge Morse's Involvement**

74. Judge Morse assigned *himself* to conduct the evidentiary hearing against his admitted beer drinking friend Robinson – when judges are to be assigned randomly. We believe a grand jury investigation will find that Judge Morse corruptly assigned himself to the case against his friend so he could protect his friend – who he in fact exonerated of all wrongdoing.

75. Judge Morse, in violation of **AS 22.20.020** and Judicial Canon 3, failed to promptly notify me of his friendship with Robinson after assigning himself to my case – instead he waited for 19 months to do so – and was already in the middle of conducting the evidentiary hearing that was supposed to determine Robinson's guilt.

**AS 22.20.020 (b)** *A judicial officer shall disclose, on the record, a reason for disqualification ...at the commencement of a matter in which the judicial officer participates.*

**Alaska Code of Judicial Conduct: Canon 3. Disqualification.** *A judge should disclose on the record information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification....as soon as practicable.*

76. Judge Morse, before admitting his friendship with Robinson, issued an order that I couldn't depose Robinson because Robinson was "*deceased*" [R.3089] – when in fact Robinson was, and still is, alive and well. Even after I proved he was alive Judge Morse refused to let me depose Robinson. We believe a grand jury investigation will find Judge Morse issued a false order, and obstructed justice, to protect his friend Robinson.

77. Judge Morse ruled I couldn't use prior testimony against Robinson from witnesses that actually are deceased – when **Evidence Rule 804** specifically allows this. Alaskan criminal attorney Mark Osterman, who is now dead and who examined every single document related to my prosecution, testified: "*It's the 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.174-263] Deceased Alaska State Trooper Wendell Jones testified he also seen Trooper Gibbens chauffeuring Judge Murphy continuously during my prosecution. We believe a grand jury investigation will find Judge Morse issued this provably false order, and obstructed justice, to protect his friend Robinson.

78. Judge Morse committed a crime by not having his denial of my motion he must recuse himself (because of his friendship with Robinson) reviewed by an independent judge before conducting the hearing against Robinson and exonerating Robinson. Judge Morse admitted he knew the law required denials to recuse to be reviewed by an independent judge. [Tr.423] This Court of Appeals' **Remand Order** proves Judge Morse had no power to conduct the hearing or exonerate Robinson until an independent judge had reviewed his denial. And **T.M.** proves this court cannot go back and retroactively fix it:

**Remand Order, Page 11** "*Under Alaska law, when a judge denies a motion to recuse, the judge's decision is automatically subject to immediate review by the next highest court. See AS 22.20.020(c)*" **State v. T.M., 860 P2d 1286 (AK 1993)** "*When a statute or rule specifies a... limit on the court's power...the court has no power to act outside this limit. The rule is the same in civil cases.*"

We believe a grand jury investigation will find Judge Morse illegally refused to have his denial reviewed by an independent judge, had no authority to conduct the evidentiary hearing after this - and will find that this Court of Appeals falsified an official document and obstructed justice to cover up for him.

79. Judge Morse ordered me to stop and then had troopers tase me numerus times to physically stop me from presenting: (1) the map used against me at trial; (2) the tape-recording of DA Scot Leaders and Trooper Brett Gibbens discussing, **BEFORE TRIAL**, how they had falsified the map so they could convict me and take away everything Jackie and I had; (3) proof

that Marla Greenstein, the only investigator of Alaska judges for the past 31 years, falsified an official investigation to exonerate my trial judge – and then committed perjury to cover up; and (4) evidence this Court of Appeals falsified an official document to justify denying me an evidentiary hearing on the forgoing felony corruption by DA Leaders, Trooper Gibbens, and judge investigator Greenstein.

***United States v. Nalley*, No. 16-0023-WGC (D. Md. Mar. 31, 2016) *Former Maryland Circuit Court Judge Pleads Guilty to Civil Rights Violation***

*The Justice Department announced today that Robert C. Nalley, a former judge in Charles County, Maryland, pleaded guilty to one count of the deprivation of rights under color of law for ordering a deputy sheriff to activate a stun-cuff worn by a pro se criminal defendant during a pre-trial court proceeding.*

*“When government officials – including judges – violate the rights we entrust them to defend and break the laws we expect them to uphold, they undermine the legitimacy of our justice system. Disruptive defendants may be excluded from the courtroom and prosecuted for obstruction of justice and contempt of court, but force may not be used in the absence of danger,” said U.S. Attorney Rod J. Rosenstein of the District of Maryland. Press Release Number: 16-119*

We believe a grand jury investigation will find that Judge Morse had me illegally tased and then imprisoned to stop me from presenting evidence of felony crimes, corruption, and cover up by DA Leaders, Trooper Gibbens, judge investigator Greenstein, and this Court of Appeals.

80. Over 2 million people watched the video of Judge Morse having troopers tase me for trying to present evidence of systemic corruption within Alaska’s judicial system. [See tasing video on YouTube and Facebook page Alaska, State of Corruption]

81. Afterward Judge Morse and the troopers claimed I was tased and imprisoned to clear the courtroom for the next case. Yet Nesbett Courthouse courtroom 601 was scheduled for my case from 12:30 pm until 3:30 pm [see courtroom 601 calendar], and I was tased at 1 pm, just 30 minutes into my 3-hour long hearing. We believe a grand jury investigation will find that Judge Morse and the troopers provably lied about why I was tased and imprisoned.

82. After the state refused to provide it, I filed, on February 21, 2019, a motion with Judge Morse to order the state to provide discovery on my tasing. [R.3698] To date, Judge Morse has failed to rule on my motion - but has continued to file pay affidavits every two weeks, swearing that he has decided every motion given to him for a decision within the last six months. (See **AS 22.10.190**) In other words, Judge Morse has falsified about 20 sworn affidavits so far. We believe a grand jury investigation will find that Judge Morse has committed, and is continuing to

commit, felony perjury to deny discovery that would further prove I was illegally tased to keep the corruption covered up.

83. After I was released from prison, I again tried to present to Judge Morse the evidence of felony crimes, corruption, and cover up by DA Leaders, Trooper Gibbens, judge investigator Greenstein, and this Court of Appeals. I expected to be tased and imprisoned again. But Judge Morse reversed his original order that I could not present this evidence - and ordered that I could present it – and did not have me tased and imprisoned for presenting it. We believe a grand jury will find this is additional evidence I was illegally tased and imprisoned the first time.

84. Judge Morse failed to address DA Leaders and Trooper Gibbens felonies and its cover up – even after Judge Morse asked for and was given both the partial tape-recording of the DA Leaders/Trooper Gibbens meeting that was first given to us by the state - and had nothing incriminating on it - and the second more complete tape-recording that the state gave us only after we demanded it – a tape recording that captured DA Leaders and Trooper Gibbens discussing, prior to trial, how their map had been falsified so they could convict me at trial. We believe a grand jury investigation will find Judge Morse failed to address this because by not doing so it would keep DA Leaders’ and Trooper Gibbens’ felonies covered up.

85. Judge Morse failed to address additional proof Robinson committed perjury - when he testified that I never asked him to protest my statement being used against me. Yet my email to him at the time proved I asked him to protest, an email I gave to Judge Morse. We believe a grand jury investigation will find that this is additional evidence that Judge Morse is corruptly covering up for his friend Robinson.

86. Judge Morse failed to address Robinson’s sworn testimony that he used “*subject-matter jurisdiction*” to defend me at my trial while knowing this defense was completely invalid. [Rob. Dep.10-11,126-135] We believe a grand jury will find that this is additional evidence Judge Morse is corruptly covering up for his friend Robinson.

87. Judge Morse failed to address the sworn testimony by 35-year Alaskan attorney Dale Dolifka that, after he examined everything in my prosecution, it was clear both Cole and Robinson were ineffective in representing me.

88. When we gave him a 500 signature petition asking for a grand jury to investigate the systemic corruption outlined above, Judge Morse (the presiding judge for the 3<sup>rd</sup> Judicial District) ruled he had no authority to initiate a grand jury investigation, and gave the petition to one of the entities the petitioners wanted the grand jury to investigate, the Alaska Department of

Law. The DOL and DA Leaders stated that they will not give the petition to the grand jury either. Yet **Alaska Grand Jury Handbook [Alaska Court System Form J-185, page 26]** states this:

*“Who decides that the grand jury should investigate something? Generally, grand jury investigations are initiated by the district attorney. They can also be initiated by the presiding judge or by members of the grand jury. Prosecutors also sometimes receive letters from the public, addressed to the grand jury, requesting investigations. In these situations, the prosecutor will probably conduct a preliminary investigation and make a recommendation to the grand jury about whether to take action. It will be up to the grand jury to decide whether to investigate the matter requested in the letter.”*

We believe a grand jury investigation will find that Judge Morse, the presiding judge, corruptly kept the public petition from the grand jury, and then lied about not having authority to initiate a grand jury investigation – all so he could keep systemic corruption within Alaska’s judicial system covered up. We believe a grand jury investigation will find that DA Leaders and Department of Law also corruptly kept the petition from the grand jury.

89. Judge Morse ruled none of the 4 witnesses were credible who testified they seen Trooper Gibbens chauffeuring Judge Murphy full time during my prosecution – even though state attorneys could not find one flaw in the testimony when they cross-examined the witnesses. Even though no one, not even Trooper Gibbens or Judge Murphy, were brought in to testify the chauffeuring didn’t happen. And even though the court’s own tape-recording captured Judge Murphy and Trooper Gibbens joking about the rides Gibbens was giving Murphy during my prosecution. Instead, Judge Morse ruled that DA Leaders would have protested the rides, and because DA Leaders never did this, it never happened. We believe a grand jury will find Judge Morse is thoroughly corrupt and corruptly exonerated Judge Murphy.

90. Judge Morse exonerated Robinson by ruling I never informed Robinson before trial that DA Leaders and Trooper Gibbens had falsified the trial map; I never informed Robinson that DA Leaders and Trooper Gibbens had tape-recorded themselves before trial discussing how they had falsified the map to convict me at trial; and I never informed Robinson that DA Leaders and Trooper Gibbens had violated Robinson’s pretrial discovery request to keep all this evidence hidden. We believe a grand jury investigation will find it was Robinson’s responsibility to find out I had been framed by DA Leaders and Trooper Gibbens, especially as at the time of trial I was completely ignorant of the law, didn’t know DA Leaders and Trooper Gibbens had falsified the trial map, didn’t know there was a pretrial tape-recording of them discussing how and why they did this, didn’t know that Robinson had filed an official discovery request for these items, didn’t even know what a discovery request was. But I had paid Robinson over \$30,000 to do all of this for me because of my ignorance. Robinson, who never protested when DA Leaders used evidence to frame me that clearly violated Robinson’s discovery request. We believe a grand jury will find Judge Morse’s ruling bizarre, and additional evidence he is corruptly covering up for his friend Robinson.

91. Judge Morse never ruled on Robinson's testimony as to what he would have done had DA Leaders provided the discovery Robinson requested DA Leaders provide prior to trial. Robinson:

*"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."* [R.3145 & 3170]

**Brady v. Maryland, 373 U.S. 83 (U.S. Supreme Court 1963)** *We hold that the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.*

This is what Robinson answered when I asked 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]

It is unacceptable for my trial attorney to testify to this – and have this Court of Appeals provably falsify facts and documents so I can't use this testimony, the false trial map, the tape-recording, and the discovery violation to overturn my conviction. It screams corruption. We believe a grand jury investigation will find this Court of Appeals is in league with DA Leaders and Trooper Gibbens to frame U.S. citizens, illegally put them in prison, and steal their life-savings.

This kind of conspiracy is nothing new: **42 U.S.C. 1983** *"[S]tate courts were being used to harass & injure individuals, either because the state courts were powerless to stop the deprivations or were in league with those bent upon abrogation of federally protected rights...Sheriffs, having eyes to see, see not; judges, having ears to hear, hear not; witnesses conceal the truth or falsify it; grand and petit juries act as if they might be accomplices. Among the most dangerous things an injured party can do is to appeal to justice."*

Look at what happened to me when I appealed to justice with the map used to frame me in my hand: I was tased numerous times and then imprisoned.

It is also unacceptable that Robinson has now testified that he knew before trial that his sole trial defense for me was invalid. During trial he told us he could not use any other defense as this would invalidate this defense. We believe a grand jury investigation will find that Robinson was in fact working with DA Leaders and Trooper Gibbens to frame me – by using a defense he knew was invalid and telling me he could not bring up any other defenses – such as DA Leaders and Trooper Gibbens were framing me with false trial evidence and false trial testimony.

## **Judge Pallenberg's Involvement**

92. Over a year late according to state law, this Court of Appeals assigned Judge Pallenberg to conduct the review of Judge Morse violating **AS 22.20.020** by refusing to have his denial of my motion to recuse him immediately and automatically reviewed by an independent judge. We believe a grand jury investigation will find this Court of Appeals illegally assigned Judge Pallenberg to cover up Judge Morse's crime and corruption during my evidentiary hearing.

93. Judge Pallenberg never addressed the fact that Judge Morse assigned **himself** to the case against his friend Robinson – so he could protect his friend Robinson. Instead, Judge Pallenberg states *“the case was reassigned to Judge Morse”*. We believe a grand jury investigation will find Judge Pallenberg made this ruling to hide the fact Judge Morse corruptly assigned himself to the case against his friend.

94. Judge Pallenberg never addressed the fact that Judge Morse violated the law and judicial code by waiting over 19 months before admitting he goes out drinking beer with Robinson – waiting until he was in the middle of actually conducting the evidentiary hearing to determine Robinson's guilt.

95. Judge Pallenberg never addressed the fact that Judge Morse issued a written order that I could not depose Robinson because Robinson was deceased – when in fact Robinson was, and still is, alive and well.

96. Judge Pallenberg never addressed the fact that Judge Morse refused to let me depose Robinson even after I proved to Judge Morse that Robinson was alive.

97. Judge Pallenberg never addressed the fact that Judge Morse violated the law (**AS 22.20.020**) by not having his disqualification denial immediately and automatically reviewed by another judge. In addition, Judge Pallenberg never addressed the fact that Judge Morse admitted, on the record, that he knew this law.

98. Judge Pallenberg never addressed the fact Judge Morse had me illegally tased for trying to the present evidence proving DA Leaders and Trooper Gibbens conspired to frame me with false evidence and that afterward this Court of Appeals falsified an official document to cover it up.

99. Judge Pallenberg never addressed the fact that Judge Morse, to keep me from discovery further proving I was illegally tased, is falsifying sworn affidavits required by **AS 11.56.200**.

**100.** Judge Pallenberg exonerated Judge Morse by ruling the Judge Morse/Robinson relationship is “*far, far less substantial*” than the relationship in **Phillips v. State 271 P.3d 457 (AK 2012)**. In **Phillips** the judge’s *wife* was friends with the *sister* of the person appearing in front of the judge – 3-degrees of separation. So the judge had never even seen or met the person appearing in front of him – and didn’t have to decide if that person was guilty of anything. Judge Morse admitted he has gone out drinking beer with Robinson and then started joking with Robinson about a sports rivalry they have – 0-degrees of separation. So how is it possible the Judge Morse/Robinson relationship is “*far, far less substantial*” than the **Phillips** relationship? As **EVERYONE** says about Judge Pallenberg’s ruling: WTF!!! We believe a grand jury investigation will find that Judge Pallenberg is corrupt and issued a provably corrupt ruling to exonerate Judge Morse. **Samuel Adams: “How strangely will the Tools of a Tyrant pervert the plain Meaning of Words!”**

**Phillips** states a judge must be disqualified if their “*impartiality might reasonably be questioned*”, and this “*must ultimately turn on the specific facts of the case – in particular the precise nature of the judge’s relationship with that person, and the way in which that person is connected to the litigation*”, the “*totality of the circumstances in the record*”, and “*appearance of bias*” by the judge.

It was Judge Morse’s duty to decide if Robinson was ineffective and committed malpractice – and Judge Morse admitted he has gone out drinking beer with Robinson – and then started joking with Robinson on the record about a sports rivalry they have.

## **Unconstitutional and Illegal Suspension of Grand Jury Investigations – and cover up by Alaska’s Deputy Attorney General John Skidmore**

101. The most recent proof of systemic corruption concerning the public’s welfare and safety is that when 3 separate Alaska grand juries initiated, **ON THEIR OWN**, an investigation into the above corruption (including that of the Department of Law and DA Leaders) DA Leaders, Deputy Attorney General John Skidmore, and other DOL personnel ordered the grand juries to stop – directly violating Alaska’s constitution and law. Here is the governing authority:

**Alaska Constitution, Article 1, Section 8** *The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.*

**AS 12.40.030 Duty of inquiry into crimes and general powers.** *The grand jury shall inquire into all crimes committed or triable within the jurisdiction of the court and present them to the court. The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety.*

**Alaska Constitutional Convention**, at 1307-28 *"The grand jury is preserved, for all purposes, particularly for investigation of public officials. The grand jury is there and may take any steps that it feels may be necessary towards investigation. The grand jury in its investigative power as well as for the fact it is sitting there as a panel sometimes is the only recourse for a citizen to get justice."*

**Alaska Grand Jury Handbook, Page 26** *"Who decides that the grand jury should investigate something? Generally, grand jury investigations are initiated by the district attorney. They can also be initiated by the presiding judge or by members of the grand jury. Prosecutors also sometimes receive letters from the public, addressed to the grand jury, requesting investigations. In these situations, the prosecutor will probably conduct a preliminary investigation and make a recommendation to the grand jury about whether to take action. It will be up to the grand jury to decide whether to investigate the matter requested in the letter."*

We believe a grand jury investigation will find that Deputy Attorney General Skidmore, DA Leaders, and other DOL personnel committed felony jury tampering and obstruction of justice when they stopped the self-initiated grand jury investigations.

102. Senator Peter Micciche and Representative Mike Chenault investigated how DA Leaders, Deputy AG Skidmore and other DOL personnel could constitutionally and legally stop the self-initiated grand jury investigations. Tape-recordings of what Deputy AG Skidmore said to the grand juries prove Deputy AG Skidmore outright lied to the legislators to cover up. The audio of Deputy AG Skidmore to both the grand jury and to the legislators can be found at [www.alaskastateofcorruption.com](http://www.alaskastateofcorruption.com). We believe a grand jury investigation will find Deputy AG Skidmore lied to legislators to cover up that he, DA Leaders, and other DOL personnel committed felony jury tampering - by ordering self-initiated grand jury investigations to stop.

103. Deputy AG Skidmore, DA Leaders, and other DOL personnel are refusing to give the grand jury a 500-signature petition, asking the grand jury to investigate DA Leaders and the DOL. Yet the Alaska Grand Jury Handbook makes clear that even a letter from a single citizen must be given to the grand jury – so it can decide whether or not to investigate:

**Alaska Grand Jury Handbook, Page 26** "*Who decides that the grand jury should investigate something? Generally, grand jury investigations are initiated by the district attorney. They can also be initiated by the presiding judge or by members of the grand jury. Prosecutors also sometimes receive letters from the public, addressed to the grand jury, requesting investigations. In these situations, the prosecutor will probably conduct a preliminary investigation and make a recommendation to the grand jury about whether to take action. It will be up to the grand jury to decide whether to investigate the matter requested in the letter.*"

We believe a grand jury investigation will find that Deputy AG Skidmore, DA Leaders and other DOL personnel are committing obstruction of justice by keeping the public petition from the grand jury.

104. Deputy AG Skidmore, DA Leaders, and other DOL personnel state that individual grand jurors can **NOT** ask the grand jury to investigate a crime that the DA has not presented to them. We believe a grand jury investigation will find the **Alaska Grand Jury Handbook** proves this is further corruption in Deputy AG Skidmore, DA Leaders, and other DOL personnel (see also the Alaska Judicial Council report "**The Investigative Grand Jury in Alaska**"):

**Alaska Grand Jury Handbook, Page 16** "*Can a grand juror ask the grand jury to investigate a crime that the district attorney has not presented to them? Yes. The Alaska Statutes state: 'If an individual grand juror knows or has reason to believe a crime has been committed that is triable by the court, the juror shall disclose it to the other jurors, who shall investigate it.'*"

105. Ray Southwell was on the Kenai grand jury that Deputy Attorney General Skidmore (head of the Department of Law) and DA Leaders stopped after the grand jury started investigating corruption in DA Leaders' and DOL. John Walsh was on the first Anchorage grand jury that the DOL stopped after they started investigating the forgoing corruption. Shane Serrano was on the second Anchorage grand jury that the DOL stopped after they started investigating the forgoing corruption. We believe a grand jury my want to subpoena Southwell, Walsh, and Serrano when it investigates systemic corruption within Alaska's judicial system.

106. Some claim I must be wrong because no attorneys have expressed concern. This is 35-year Alaskan attorney Dale Dolifka's testimony after reading all documentation in my case:

*"Other than an outright payoff of a judge or jury, it's hard to imagine anyone being sold down the river more. 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. I walked over here & attorney A says 'My god they're*

*violating every appeal rule ever. How can it be like this?’ It’s absolute, unadulterated, self-bred corruption that will get worse until the sleeping giant wakes up.”*

Then Dolifka testified he was harmed when it became public that he was helping me address the corruption – but refused to testify what was being done to him – stating, *“I can’t tell you because it will just get worse.”*

We believe a grand jury may wish to investigate the retaliation Dolifka has suffered.

Long-time Alaskan attorney Mark Osterman’s testimony after examining my entire prosecution:

*“It’s the 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.”*

107. Every Alaskan and American has my word I will do whatever it takes to ensure a grand jury investigates, reports, and takes action without interference from public officials – exactly as those who wrote Alaska’s constitution, laws, and grand jury handbook intended be done to root out corrupt public officials. Attorney Dolifka has given me his word he will lead the charge for justice when I go down.

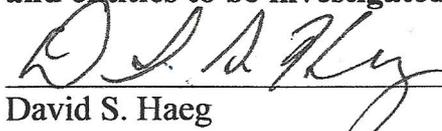
108. Some following this recommend entering courthouses while the grand jury is in session, personally handing them the evidence and asking they investigate, and then guarding the door to the grand jury room to make sure no government officials can enter to stop the investigation. If this doesn’t work I will, until I am killed, start retrieving the airplane and other property that was stolen from my family so long ago. I will ask those following this to come and help – and hope the public outcry from this results in a grand jury investigation.

109. Again, no one can ever give back the life that was stolen from my beautiful wife and daughters. But I can damn well make sure you evil and sophisticated people don’t destroy any more lives. My family and I believe a grand jury investigation will uncover corruption on par with that in Illinois – where a single investigation resulted in 17 judges, 48 lawyers, 10 deputy sheriffs, 8 policemen, 8 court officials, and a state legislator being indicted – with nearly all pleading guilty. Or on par with Mississippi, where federal authorities designated the entire Harrison County Sheriff’s Office as a criminal enterprise. Again, Alaskans will be justified in abolishing the corrupt entities above and having their duties taken over by grand juries– or have them placed into federal receivership.

110. It is obvious you 3 judges have no choice but to continue the 16-year long cover up. To do anything different would prove numerous state officials and attorneys are committing felony crimes to circumnavigate our constitution and pocket the life savings of innocent families. So when you are being sentenced for corruption, I (or my family if I am dead) will ask you be sentenced to life in prison without the possibility of parole – for without knowing you would cover up for them, none of those below would have dared do what they have done to my family and many others.

**DECLARATION UNDER PENALTY OF PERJURY**

I, David S. Haeg, declare under penalty of perjury that the above is true & correct – **and that I will continue pursuing those conducting and covering up this sophisticated and evil racket until they are investigated by a grand jury that is not stopped or manipulated by the same public officials and entities to be investigated. I believe our constitution, and all families, require nothing less.**



Executed on July 15, 2020

David S. Haeg

PO Box 123, Soldotna, AK 99669 (907) 262-9249 h; (907) 398-6403 cell; [haeg@alaska.net](mailto:haeg@alaska.net); Facebook

I certify that on July 15, 2020 a copy of forgoing was mailed to: AAG Dupuis. Please share/publish/reproduce this freely. Seek out grand jury service (you may request grand jury service when you get a petit jury summons), get the evidence at [www.alaskastateofcorruption.com](http://www.alaskastateofcorruption.com), and investigate. You have a right to do so even in the face of opposition from the DA or Department of Law. Ask the grand jury to investigate by writing your District Attorney. Information on Alaska's grand jury: **Alaska Grand Jury Handbook** (AK Court System form J-185, page 26) and **The Investigative Grand Jury in Alaska**, pages 9-24, just google it. To help financially: PayPal accounts ([haeg@alaska.net](mailto:haeg@alaska.net)) or (907-398-6403). "A Most Dangerous Domestic Enemy" GoFundMe account, to finance a book, is nearly finished.

**Independent Mollen Commission Report on Corruption (7/7/94)**

***"What we found is that the problem of police corruption extends far beyond the corrupt cop. It is a multi-faceted problem that has flourished – because of a culture that exalts loyalty over integrity; because of the silence of honest officers who fear the consequences of "ratting" on another cop no matter how grave the crime; because of willfully blind supervisors who fear the consequences of a corruption scandal more than corruption itself; because of the demise of the principle of accountability that makes all commanders responsible for fighting corruption.***

***All these factors contributed to the state of corruption we uncovered. To cover up their corruption, officers created even more: they falsified official reports and perjured themselves***

*to conceal their misdeeds. Thus, police corruption has become more serious and threatening than ever before.*

*In the face of this problem, the Department allowed its systems for fighting corruption virtually to collapse. It had become more concerned about the bad publicity that corruption disclosures generate than the devastating consequences of corruption itself. As a result, its corruption controls minimized, ignored and at times concealed corruption rather than rooting it out. Such an institutional reluctance to uncover corruption is not surprising. No institution wants its reputation tainted – especially a Department that needs the public’s confidence and partnership to be effective.*

*Since no entity outside the Department was responsible for reviewing the Department’s success in policing itself, years of self-protection continued unabated until this Commission commenced its independent inquiries.*

*This abandonment of effective anti-corruption efforts did more than avoid public exposure of corruption, it fueled it. It sent a message through the Department that integrity was not a high priority and that Department bosses did not really want to know about corruption. In short, it gave everyone in the Department an excuse for doing what was easiest: shutting their eyes to corruption around them.*

*And that is precisely what happened. The principle of command accountability, which holds commanders responsible for fighting corruption, completely collapsed. Supervisors and commanding officers were largely complacent about maintaining integrity. Few were concerned with corruption on their watch – unless it exploded into an embarrassing corruption scandal.”*

**Evidence and Witness Testimony That Would Never Have Been Presented in an Official Evidentiary Hearing Had I Not Been Willing To Be Tased To Make Sure It Was:**

**TRANSCRIBER'S CERTIFICATE** *I, Britney E. Dudley hereby certify that the foregoing pages numbered 3 through 575 are a true, accurate, and complete transcript of proceedings in 3KN-10-01295CI, David Haeg vs. State of Alaska, transcribed by me, or at my direction, from a copy of the electronic sound recording to the best of my knowledge and ability.*

*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?*

*A. Yes. [Tr. 218]*

*THE COURT [Judge Morse]: Mr. Zellers, will you take the stand?*

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

*A. 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: 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?*

*A. Yes, they did.*

*Q. Did you prove to Prosecutor Leaders and Trooper Gibbens that that map had false handdrawn 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?*

*A. Yes. [Tr. 384]*

*[Questioning of Haeg's trial attorney Arthur Robinson]*

*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. [Tr. 174-175]*

*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?*

*A. 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.*

*A. -- 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?*

*A. Prior to trial, no. (Tr. 209-210)*

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

MR. HAEG: Okay. MR. PETERSON: -- the purpose of this?

MR. HAEG: This is a proof –

THE COURT: 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]*

*[Questioning of 35-year Alaskan attorney Dale Dolifka]*

*MR. HAEG: Q. I'd just like to say thank you for coming, Mr. Dolifka. After what happened in my case with Brent Cole and Chuck Robinson, did you start reading documents in my case and became so confused and concerned that you contacted Judge Hanson?*

*A. That's true.*

*Q. And what did you and Mr. Hanson talk about?*

*A. Well, your case. I was very puzzled. And I had total faith in him. He had been my mentor as a superior court judge. He was appalled, and he was disgusted, and he was confused, which left me...*

*THE COURT: Do you have any cross-examination?*

*MR. PETERSON: I do. Q. So, Mr. Dolifka, you just said there was a question about the outrageous process with which Mr. Haeg was prosecuted. What was outrageous about it?*

*A. Well, you've got to remember my state of mind during this whole process. That was a very dark time on the Kenai Peninsula. And a lot of my concern with Haeg's cases was a concern for everything that was going on down there. And I know that's irrelevant, but that would answer that question. It was not just David Haeg's case. [Tr: 440-442]*