

Jeffery J. Lout, AO#45407  
Montana State Prison  
700 Conley Lake Road  
Deer Lodge, MT 59722

IN THE SUPREME COURT FOR  
THE STATE OF MONTANA.

CAUSE:DA:18-0522

Jeffery J. Lout, Pro Se,	)	NOTICE OF PURPOSED SETTLEMENT
Appellant/Defendant;	)	CORRESPONDENCE PER M.R.EVID:
	)	406 AND MEET
Vs.,	)	AND CONFER CONFERENCE PER
State of Montana and Lynn Guyer -	)	M.R.CIV.P. RULE 26(f)(1);
Warden of Montana State Prison;	)	AS A ((1) ONE TIME ONLY OFFER
Appellee/Plaintiff.	)	TO FULLY SETTLE CASE(S).

1) This matter comes through Jeffery J. Lout, Pro Se Appellant; who hereby Submits and files this NOTICE OF PURPOSED SETTLEMENT CONFERENCE AND RESPECTFULLY REQUEST A MEET AND CONFER CONFERENCE WITH MONTANA ATTORNEY GENERAL: Timothy Fox; as a (1) One TIME OFFER TO SETTLE LOUT'S CURRENT APPEAL OF HIS MOTION TO DISMISS AND EXONORATE HIS CHARGES OF DC:99-22 and DC:02-79; Which in relation to the 'JUDICIAL STRUCTURAL DEFECTS' stemming from the 'INFORMATION ACCUSATORY PROCESS' Has and does raise the 'SUBJECT MATTER JURISDICTION' WHICH ALSO HAS CALLED INTO QUESTION THE 'CONFLICT OF INTEREST' OF SITTING JUDGE: Jeffrey H. Langton; due to Langton's and Lout's Past PERSONAL INTERACTIONS in which Lout was approached by the U.S. Assistant Attorney General out of the Missoula Department of Justice and Legally Deposed to give testimony against Jeffrey H. Langton regarding the FEDERAL INVESTIGATION AGAINST LANGTON FOR HIS DISTRIBUTION ILLEGAL DRUGS AND LANGTON'S SEXUAL INTEREST IN ADGLESCENT MALES TO WHO LANGTON BOTH PURCHASED AND SOLD DRUGS TO IN EXCHANGE FOR SEXUAL FAVORS AND "LENIENCY" REGARDING THE INDIVIDUALS (REX ERIC WALKER<sup>1</sup> AND ANDREW GOLLIE<sup>2</sup>) who were regular Victims of Langton's. ( see: August 3, 2018 Deposition by Lout in U.S. Dist. Crt./Div.Missoula in Robert Myers v. Langton)

<sup>1</sup> Rex Walker: Is the little brother of CHARLES WALKER (Lout's Alleged Victim in DC:99-22 & DC:02-79)

And Rex was also an alleged victim in Lout's Case of DC:02-79 both which Langton Presided over.

<sup>2</sup> Andrew Gollie: Dated and was involved with Langtons Daughter at the time of Gollies Crt. Proceedings.

2) Lout Asserts: his Sentencings as well as the Pre-Trial proceedings in both Lout's Cases give Raise to QUESTIONS OF MATTERS OF FACT AND LAW in and throughout Lout's Cases which Langton Presided over and conducted the "INFORMATION ACCUSATORY PROCESS" and went on to Sentece Lout in Both those cases; To which LANGTION'S Sentences were OVERLY EXCESSIVE AND HARSH. (See: Lout's Appeal Argument 2 ¶42 thru ¶70. See also: Lout's Notice to Transcribe Pg. 2 #12)

3) Lout Asserts and Declares: that he has raised the 'SUBJECT MATTER JURISDICTION' which coupled with the 'JUDICIAL STRUCTURAL DEFECTS' Are clear GROUNDS FOR THE IMMEDIATE RELEASE of Lout from his UNLAWFUL and ILLEGAL INCARCERATION which Judge Langton imposed on Lout through the "CONFLICT OF INTEREST" based on the sworn testimony given to the United States Department of Justice Criminal Proseotional Assistant Attorney General's Office on August 3, 2018 By Lout.

4) Lout Therefore is of the Belief that this Appeal will be ground enough in which if DENIED for the Purpose to "CONTINUE TO COVER UP THE WRONG DOINGS BY LANGTION" shall be Grounds enough to win Lout another Appearance before the EXECUTIVE OFFICE OF THE U.S. PRESIDENT as well as before the U.S. Supreme Court and/or The JUDICIAL CONGRESS COMMITTEE on a WRIT OF CERIORARI.

#### ADDITIONAL SUPPORTING INFORMATION

5) Lout Asserts: it has recently come to his attention through Information which Lout Believes to be True and Correct to the Best of His knowledge; Hence Lout's current belief's are supported through the recent court Dockets and Records which are currently before the Montana Supreme Court and the U.S Supreme Court.

- a) Lionel Scott Ellison V. State of Montana (Information Accusatory Process, etc.)
- b) Brian Nauman v. State of Montana (Information Accusatory Process, etc)
- c) Charles Quarry V. State of Montana (Specifically on INFORMATION ACCUSATORY PROCESS and the SUBJECT MATTER JURISDICTION- BEFORE U.S. SUPREME COURT.)
- d) Joseph Lawrence v. State of Montana (Judicial Structural Defect, Subject Matter Jurisdiction and Information Accusatory Process, etc)
- e) Chad Heitkemper v. State of Montana (Information Accusatory Process...)
- f) Russell Bullock v. STOM (Information Accusatory Process, Excessive Sanction...)
- g) Jameison Beam v. STOM (Information Accusatory Process, Excessive Sanction...)
- h) Wayne Aviles v. STOM (infoarmation Accusatory Process...)

i) Michael McDonald v. STOM ( Information Accusatory Process, etc...)

j) Damien Fontes v. STOM (FALSE DNA; Information Accusatory Process, etc...)

6) Lout Declares and Asserts: AS MATTERS OF FACT: there were an estimated 211 Other Inmates INCARCERATED at the Montana State Prison, Specifically on the LOW-SIDE COMPOUND where Lout<sup>3</sup> and Ellison resides that filed an EN MASSE WRIT OF HABEAS CORPUS TO THE U.S. DISTRICT COURT, DISTRICT OF MONTANA IN THE DIVISION OF HELENA BEFORE U.S. MAGISTRATE: Jon T. Johnston; Which was given a 'SUPERVISORY CONTROL' to the U.S. COURT OF APPEALS FOR THE 9TH CIRCUIT IN 18-70384, 18-70509, 18-70514, 17-00045, 17-00102, 17-00168 and 18-70544 which was rendered as a WRIT OF MANDAMUS on and in behalf of all above titled causes; Which was DISMISSED WITHOUT PREJUDICE in which to take back before each of the Petitioners' INDIVIDUAL PERSPECTIVE STATE DISTRICT COURTS or the MONTANA SUPREME COURT in which to allow the State Courts to first 'CORRECT' their Errors and the 'JUDICIAL STRUCTURAL DEFECT' in regards to the 'SUBJECT MATTER JURISDICTION' before bringing it back before the U.S. Court of Appeals for the 9TH Circuit. (See: Lout v. Fletcher/STOM CV-18-00007; Ellison, v. Fletcher/STOM:CV-18-00006; Green V. Fletcher/STOM CV-18-00003 thru CV-18-00014 and numerous other cases)

7) Lout asserts: AS MATTERS OF FACTS: Both He (Lout) and Lionel Scott Ellison had helped to aid and assist the other Original 211 other offenders in their filing of the EN MASSE WRIT OF HABEAS CORPUS was done so after the Montana State Legislature passed numerous House and Senate Bills to REDUCE THE SEVERE OVERCROWDING BREACH OF SECURITY of OVERCAPACITY LEVELS at the MONTANA STATE PRISON and throughout the Montana State Regional Prisons, In which to REDUCE THE PRISONER POPULATION NOT TO EXCEED the MAXIMUM CAPACITY of 780 Prisoners for BOTH LOW and HIGHSIDE COMPOUNDS which at most recent count (As of the drafting of this document) is OVERCAPACITATED by 870 Inmates at MSP ALONE!

8) Lout Further Asserts and Declares: AS MATTERS OF FACTS: He and Ellison both filed the EN MASSE WRIT OF HABEAS CORPUS based on the 'INFORMATION ACCUSATORY PROCESS' used in the State of Montana which is a blatant violation of EVERY INMATES' FUNDAMENTALLY PROTECTED RIGHT UNDER THE 5th and 14th AMENDMENTS OF THE U.S. CONSTITUTIONS 'STRUCTURAL' AND 'PROCEDURAL' 'DUE PROCESS OF LAWS' TO BE TRIED BEFORE AN IMPARTIAL AND UNBIAS JUDGE: TO INCLUDE THE PRE-TRIAL AND SENTENCING PHASES.

<sup>3</sup> LOUT was placed in HHC/Disciplinary Segregation on a major infraction on March 5, 2018 after he sent LEGAL MAIL to a Licensed atty. DOUG DAY out of Lewiston, MI Seeking Day to send the Writ of ENMASSE HABEAS CORPUS to the highside compound....; This is the 3rdtime Lout has Legally assisted fellow offenders in drafting Writs only to be punished. (see: murphy v. Shaw/Bourds v. Smith.) which prohibits the punishment of 'JAILHOUSE LAWYERS'.(See: Lout's Emergency Mandamus U.S.9thCir.)

9) Moreover: Lout Asserts and Declares: to the best of his knowledge, understanding and belief, That there are an estimated 6 to 12 other Offenders who too are currently working on the same and alike Writ of Habeas Corpus, which relates to the 'INFORMATION ACCUSATORY PROCESS' of a bias, Prejudice and Tainted Judge who sat on the 'ACCUSATORY PROCESS' and then Continued to PRESIDE OVER ALL OTHER PHASES of their Pre-Trial and Sentencing Phases; which violates the U.S. Constitution as set forth in the above (See; Paragraph 8) Hence; to Lout's knowledge, each of these Individuals too are near the APPEAL PROCESS to take before the Montana Supreme Court relatively soon in the very near future.

10) Lout Declares: AS A MATTER OF FACT: His current APPEAL currently on it's 5th EXTENTION OF TIME BY THE STATE OF MONTANA'S Attorney General Office; SHALL RENDER LOUT RELEASED FROM HIS NEARLY 20½ Years of Unlawful and Illegal Imprisonment based on the 'JUDICIAL STRUCTURAL DEFECT' of the 'SUBJECT MATTER JURISDICTION' due to the Bias and Prejudice Judge (Langton) Failure to RECUSE or DISQUALIFY himself from Lout's Court cases (DC:99-22 and DC:02-79) Which Does entitle Lout to RUFFLY 13.4 Millon Dollars for the UNLAWFUL AND ILLEGAL IMPRISONMENT LOUT HAS BEEN ENDURED TO for the past 20½ years of his life for Langton's FAILURE to RECUSE and Disqualify himself.

11) Lastly Lout Asserts; based on the ABOVE paragraph FACTS Coupled with the Other 6 to 12 Individuals who too are currently seeking their own WRIT OF HABEAS CORPUSES; CONJOINED with the U.S. SUPREME COURTS' WRIT OF CERTORARI from Mr. Charles Quarry and the other (2) Two Individuals (Lionel Ellsion and Brian Nauman) Who the State of Montana Attorney General's Office has JUST RECENTLY CONCEEDED on; It Is Lout's Belief that the State Of Montana Is Locking to PAYOUT NEARLY 80 to 150 MILLON DOLLARS FOR THE SUBJECT MATTER JURISDICTION 'JUDICIAL STRUCTURAL DEFECTS' By the State District Courts Throughout the state of Montana. In short: Lout Offers the FAMOUS MONTANA QUOTE by JUSTICE TREEWATER: "MONTANA HAS NOW BECOME LIKE A RUNAWAY LOCOMOTIVE..." CONCERNING THE SUBJECT MATTER JUDICIAL STRUCTURAL DEFECTS THROUGH THE ILLEGAL AND UNLAWFUL USEAGE OF THE "INFORMATION ACCUSATORY PROCESS" that has and CONTINUOUSLY VIOLATES THE RIGHTS OF EVERY OFFENDER IN AND THROUGHOUT THE MONTANA COURTS JUDICIAL SYSEM, SINCE 1988 of OCTOBER.

CONCLUSION

12) Lout therefore concludes: He believes it would be in the Best Interest of Justice; in which to Preserve the Fundamental Rights of Lout and of the Numerous other Offeners, who too has been Adjudicated by a BIASED AND PREJUDICED Court through the Pre-Trial and into the Trial and/or Sentencing Phases of their Case(s) which has created a Serve MISCARRIAGE OF JUSTICE and has violated the very aspects of the American Judiciousprudence of the Criminal Judicial System.

13) Lout Asserts and Declares: Based on the Facts out lined in and throughout this NOTICE, It is in the Best Interest Of Justice that the Court Grant Lout and the State Of Montana a MEET AND CONFER CONFERENCE IN WHICH TO COME INTO A SETTLED RESOLUTION TO THIS CASE AT BAR, or that the State Simply Resolve This case at bar by issuing a Statement of Concedement to Lout's Appeal Brief.

OATH AND DECLARATION

This being Respectfully Submitted, Signed and Sworn to under the Penalty of Perjury pursuant to MCA 45-7-201 and 28 USC §1746, on this 23<sup>rd</sup> Day of August; 2019.


In the County Of: Powell; S)

In the State Of: Montana. S)

  
\_\_\_\_\_  
Jeffery J. Lout/Pro Se Appellant.

CERTIFICATE OF SERVICE

This certifies that I have served the following Individuals; First Class Prepaid Postage in the U.S. postal Serve a Copy of the above foregoing Document on this 23<sup>rd</sup> Day of August, 2019.

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By: 