

ORIGINAL

FILED

12/30/2019

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 18-0522

IN THE SUPREME COURT FOR

THE STATE OF MONTANA

CAUSE: DA 18-0522

FILED

DEC 27 2019

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Jeffery J. Lout, Pro Se,
Appellant;

VS.;

State of Montana,

Appellee.

1) NOTICE OF OBJECTIONS

2) AND REQUEST FOR

3) REHEARING ON

4) THE FACTS AND QUESTIONS

5) OF LAW IN

6) LOUT'S INITIAL BRIEF,

7) TO THIS COURT'S DECEMBER 3, 2019 ORDER...

1) This matter comes before the Court through Pro Se Appellant:
Jeffery J. Lout; HEREBY GIVES NOTICE OF OBJECTIONS AND A REQUEST FOR
A HEARING ON THE FACTS AND QUESTIONS OF LAW IN LOUT'S INITIAL
BRIEF; TO THIS COURT'S DECEMBER 3, 2019 ORDER DENYING LOUT'S APPEAL.

NOTICE OF OBJECTIONS

2) Lout hereby Declares He Objects to this Court's December 3,
2019 ORDER DENYING LOUT'S APPEAL IN IT'S ENTIRETY; AS The Court
a Five Member Panel FAILS OR REFUSES TO ADDRESS THE FACTS AND QUESTIONS
OF LAW SET FORTH IN LOUT'S INITIAL BRIEF WHICH DOES RAISE THE

EXTREME CONTIVERSY Related to in and throughout both Lout's State District Court Criminal Proceeding in causes DC:49-22 and DC:02-79 Which call into Question the Relevancy of the State District Court's (Langton's) Presiding over both of Lout's Cases which Langton FACTUALLY LACKED SUBJECT MATTER JURISDICTION; Therefore Rendering both Lout's cases; UNLAWFUL and ILLEGAL and Does Require Lout to be Released from his Unlawful and Illegal Incarceration.

① A) OBJECTION- 1: Lout objects to the Fact the Court MISCONSTRUED Lout's MOTION TO DISMISS (MCA:46-13-101 and 102) AS A PETITION FOR POST-CONVICTION knowing full well from this Courts Record Lout had Filed his Post-Conviction in 2003/2004.

② GROUND-1: Lout Asserts; He Filed a MOTION TO DISMISS AND EXONERATE to the State District Court Regarding "SUBJECT MATTER JURISDICTION" of Langton being involved in the INFORMATION ACCUSATORY PROCESS of the Filing of Information and the Fact Langton Failed to Recuse or Disqualify himself Making him BIAS and PREJUDICE Towards Lout in both cases.

③ AS A MATTER OF FACT: Lout offers the fact, This very Court Stated "The issue of a Courts SUBJECT MATTER JURISDICTION may be raised at [ANY TIME]" See: Bayleat Law P.C. v. Pettit: 1998 MT. 252.

④ AS A MATTER OF FACT: "MOTION TO DISMISS for lack of SUBJECT MATTER JURISDICTION may be Presented at [ANYTIME], and THE COURT MUST DISMISS IF IT LACKS SUBJECT MATTER JURISDICTION" M.R. CIV. P. 12(b)(3).

5) Lout Asserts based upon the Above FACTS OF LAW; This Court in accordance to it's own ORDER; Must DISMISS Both of Lout's Cases (DC: 99-22 and DC: 02-79) and RELEASE Lout From his UNLAWFUL and ILLEGAL Incarceration, as the State District Court (Langton) did in fact Lacked SUBJECT MATTER JURISDICTION in both Cases (DC: 99-22 and DC: 02-79) and thereafter Lacked ANY SUBJECT MATTER JURISDICTION in which to Preside over any and all Pre and Post-Sentencing Proceedings to include Lout's Post-Conviction of 2004/05.

3) OBJECTION-2: Lout OBJECTS TO THE FACT THAT THE COURT FAILED TO ADDRESS ANY OF THE FACTS IN Lout's INITIAL BRIEF WHICH CLEARLY SHOWS AN ACTUAL CONTRAVERSITY DOES EXIST AND HAS RESULTED IN A [MANIFEST MISCARriage OF JUSTICE] HAS OCCURRED AS THE COURT'S DENIAL OF Lout's APPEAL DOES LEAVE UNSETTLED THE [QUESTION OF FUNDAMENTAL FAIRNESS OF THE PROCEEDINGS] and DOES [COMPROMISE THE INTEGRITY OF THE JUDICIAL PROCESS] IN THIS CASE AT BAR.

GROUND-2: Lout Asserts; This Court through it's Denial of Lout's Appeal Regarding the LACK OF SUBJECT MATTER JURISDICTION it has in fact Created a [MANIFEST MISCARriage OF JUSTICE] to Lout and has in fact COMPROMISED THE INTEGRITY OF THE JUDICIAL PROCESS as it Fails to Address the QUESTION OF FUNDAMENTAL FAIRNESS OF THIS APPEAL PROCEEDINGS and All other Proceedings prior to this Appeal which through the Courts DENIAL of Lout's Appeal does Leave the Unsettled Fundamental Fairness with this case at bar. (See: State v. Hayden: 2008 MT 274)

C) OBJECTION-3: Lout OBJECTS TO THE FACT THE COURT HAS FAILED TO CARRY OUT IT'S OBLIGATIONAL DUTY TO CORRECT THE FUNDAMENTAL ERRORS, THE JUDICIAL STRUCTURAL ERRORS and DEFECTS THROUGHOUT BOTH OF Lout'S CASES TO THE VERY EXTENT OF VIOLATING Lout'S (5th) FIFTH, (8th) EIGHTH and (14th) FOURTEENTH AMENDMENTS OF THE U.S. CONSTITUTION.

GROUND-3: AS A MATTER OF FACT, Lout Asserts he has clearly raised the Constitutional Grounds which he has been unlawfully and Illegally incarcerated due to Lout and Langton's "PERSONAL INVOLVEMENTS" during the very Years 1996 to 1998 Called into Question in both Louts' cases that have also involved some if not all the YOUTH that has been involved in both Lout's cases to which also involved the PERSONAL and PROFESSIONAL INVOLVEMENT OF (THE COURT) Langton with Regards to the Drug Usages, Involvements and the Sexual Interactions with Lout, Langton and the Youths involved in Louts' cases, WHICH DOES CALL INTO QUESTION BOTH THE "INTEGRITY OF THIS COURT" and the JUDICIAL PROCESS OF The JUDICIAL PROCEEDINGS in both of Lout's cases.

(c) AS A MATTER OF FACT: Numerous Court Records both State and Federal of Numerous Other Individuals in connection with Lout and Langton Shall fully Reveal and Fully Uncover the INVOLVEMENTS between Lout and Langton which Shall be Grounds for the IMMEDIATE REVERSAL and EXONORATION of Lout's (DC:99-22 and DC:02-74) cases that shall fully Disclose the Illegal and Unethical Practices of Langton, The Ravalli County Sheriff's Officers, Ravalli County Prosecutors office, Ravalli County Department of Health and Human Services; The

Hamilton Police Department, Hamilton City Prosecutors Office under the direction of James A. Haynes; And of Numerous Individuals who were or still are Employed or Associated With these Agencies and the involvements with Lout and Langton Regarding the Sales or Distribution of Marijuana, Cocaine and other Narcotics in trade for SEXUAL FAVORS of the Alleged Youths (Dex Walker, Charles Walker, Sam Honey, Howard Henson...) for Licensery in their very cases with and Before Langton between 2000 and 2005, which Included the Years prior of 1996 thru December ³¹ 1998.

D) OBJECTION-4: Lout OBJECT TO THE FACT THAT THE COURT HAS REVIEWED AND EVEN USED Lout's PRIOR FILINGS OF Lout's POST-CONVICTION, WRIT OF HABEAS CORPUS AND THE WITHDRAWAL OF GUILTY PLEA; YET THE COURT FAILS TO ADDRESS ANY OF THE FOLLOWING FACTS WHICH CALL INTO QUESTION THE "INTEGRITY" OF THIS COURT AND THE FUNDAMENTAL FAIRNESS OF THESE JUDICIAL PROCEEDINGS; WHICH IF LEFT UNCORRECTED DOES CREATE BOTH A MANIFEST AND GROSS MISCARriage OF JUSTICE TO Lout.

GROUND-²5: AS A MATTER OF FACT: Lout Asserts, Throughout the entirety of this Courts RESEARCH that was conducted with Regards to Reviewing the Courts Records to DENY Lout's APPEAL on his MOTION TO DISMISS and EXONERATE due to the Lack of SUBJECT MATTER JURISDICTION; The Fact the Court States Lout Misunderstands the Governmental Intent; which he does not; and to which this Court Wholly Relies on the Past Filings of Lout's POST-CONVICTION, WRIT OF HABEAS CORPUS and WITHDRAWAL OF GUILTY PLEA; It has

Failed to Address Critical and very vital Information which does call into QUESTION THE FUNDAMENTAL FAIRNESS AND INTEGRITY OF THESE JUDICIAL PROCEEDINGS BEFORE THIS COURT TODAY.

7) AS A MATTER OF FACT: On, at, or Between April 20, 2004 and April 19, 2005: Lout filed a "STATE" WRIT OF HABEAS CORPUS which the Montana Supreme Court CONSTRUED THEN (in 2005) AS A PETITION FOR POST-CONVICTION and Referred the Case back to the STATE District Court. Eventually both were denied by this Court. During, Through and upon Completion of these; Both MIKE McGRATH Sat in and Participated as the ATTORNEY GENERAL for the State of Montana; and Justice Jim Rice was an Active Justice in the DENIAL of above Proceedings; Therefore; Both McGRATH, now the Chief Justice, and Jim Rice still Active Justice, Must RECUSE or DISQUALIFY themselves as they have a PERSONAL and a POLITICAL INTEREST in the Out Come of the Case before it today, which they are both BIAS and PREJUDICE Towards Lout And Renders A QUESTION OF FUNDAMENTAL FAIRNESS AND THE INTEGRITY OF THE JUDICIAL FAIRNESS BEFORE THESE CURRENT PROCEEDINGS.

8) AS A MATTER OF FACT: On, at, or Between August 1, 2008 and September 12, 2008 Lout Filed a MOTION TO WITHDRAW GUILTY PLEA; MEMORANDUM underlining Why Judge Hayens would be BIAS and PREJUDICE and a MOTION TO DISQUALIFY LANGTON.

9) On September 12, 2008: Judge Langton WITHDREW AND DISQUALIFIED HIMSELF Regarding Lout's WITHDRAWAL OF GUILTY PLEA. However on October 27, 2008 LANGTON After RECUSING HIMSELF DENIED Lout's WITHDRAWAL OF GUILTY PLEA.

10) On January 22, 2009: Langton Again after ~~rec~~^{re} Recusing Himself, Filed an AMENDED MEMORANDUM to his Denial of Lout's WITHDRAWAL OF GUILTY PLEA.

11) Between October 27, 2008 and January 22, 2009: Lout Filed a NOTICE OF SUPERVISORY CONTROL WHICH covered Langton RECUSING HIMSELF, Then Making a Ruling and Order DENYING Lout's MOTION TO WITHDRAW GUILTY PLEA, and Confronting the Fact that LANGTON COMMITTED PERJURY Regarding his PERSONAL KNOWLEDGE of Lout, His Failure to Recuse or Disqualify himself from Lout's 2002 (DC:02-79) Case; The FACT LANGTON WAS BIASED TOWARDS Lout in Youth-B's (Charles Clinton Walkers) Sentencing Hearing of October 27, 08; Both of Lout's and Langton's PERSONAL INTERACTIONS^{DE} between 1996 and 1998 (To which Lout Gave ORAL DEPOSITION in U.S. Dist. Ct. Md.; in Robert Myers v. Langton on Aug. 3, 2018 Regarding the DRUG USAGES by Langton and Lout...) of hanging out at the Exchange Club and Rainbowbar; Lout ALSO brought to Light Langton's SEXUAL RELATIONSHIP with Youth-A's (Howard Hersens) Mother Rhonda Roy during the Course of Lout's Case in 2002/03 and Upon Langton's own Admission during Lout's Post-Conviction and Writ of Habeas Corpus Proceedings in 2004/05. Lout Further Brought to the Record Langton's Numerous PROBATION VIOLATIONS Regarding his DUI Convictions x's 3 between 2003 and 2005. As A MATTER OF FACT Lout brought to Light pretty much Everything needed to DISQUALIFY both Langton and Haynes and As A MATTER OF FACT; LANGTON DID Recuse himself then there- after Denied Lout's WITHDRAWAL OF GUILTY PLEA While Committing PERJURY IN HIS OCTOBER 27, 2008 ORDER and OPINION.

12) AS A MATTER OF FACT: Lout Asserts; The Court's Opinion in it's Order Denying Lout's Appeal Failed to Mention these Facts and Has Again Failed

to Address the Constitutionality of the QUESTION OF FUNDAMENTAL FAIRNESS which must call into Question the INTEGRITY OF FAIRNESS by this Court as it Leaves the Unsettled Question of Not only Fundamental Fairness but also the Controversy which does exist in the case at bar; which Imposes a MANIFEST and GROSS MISCARriage OF JUSTICE TO Lout, As Lout has Legally and Rightfully Raised the FACTS that his 1999 and 2002/03 (DC:99-22 & DC:02-79) cases were ILLEGALLY and UNLAWFULLY IMPOSED which has wholly Denied and Deprived Lout the Full PANOPLY OF ADVERSARIAL SAFEGUARDS". (See: *Georgetown v. Pugh*: 420 U.S. 103 1975)

CONCLUSION

13) The FACTS have been Rightfully Presented before this High Court. Lout Filed a MOTION TO DISMISS AND EXONERATE FOR THE [UNLAWFUL CONVICTIONS] AND [ILLEGAL] INCARCERATION FOR STATES FAILURE TO COMPLY WITH LEGISLATIVE INTENT OF THE STATE LAW STATUTES; which Challenge the LACK OF SUBJECT MATTER JURISDICTION BASED ON THE COURTS (LANGTON'S) BIAS AND PREJUDICISM TOWARDS Lout FROM THE "INFORMATION ACCUSATORY PROCESS". Lout does Not Challenge being Charged by INFORMATION; He Challenges He was Sentenced by a Bias and Prejudice Judge (Langton) who Sat on and Throughout the ACCUSATORY PROCESS; then, thereafter Presided over both of Lout's Cases (DC:99-22 and DC:02-79) which violates Lout's Due Process Right to have an Impartial Hearing/Trial before an Impartial Judge.

14) AS A MATTER OF FACT: Lout did not become aware of the

INFORMATION ACCUSATORY PROCESS AND THE FUNDAMENTAL DUE PROCESS VIOLATIONS

¹⁰ ~~which~~ which "had just come to light..." (opening brief pg. 3, line 3.) which was roughly in October 2007, which included; ¹¹ The BIAS and PREJUDICE BY A COURT WHO SITS ON The Accusatory Process then Presides over the Posttrial, trial and Sentencing; ¹² The EXCESSIVE SANCTIONS NOT BEING IN EQUALITY TO [ALL OTHER] OFFENDERS who's committed the [SAME or ALIKE] CRIMES and ¹³ The RIGHT OF DUE PROCESS TO CHALLENGE THE TIER LEVEL 3 DESIGNATION, which just came to Light in ~~April~~ ^{APRIL} of 2019.

15) AS A MATTER OF FACT: Lout had no knowledge of the FACTS OF LAWS And the FEDERAL CONSTITUTIONAL MANDATES until Years; Decades; in this case; After Lout was sentence.

16) AS A MATTER OF FACT: Lout with some 200 other offenders did file an ENDORSE WRIT OF HABEAS ~~corpus~~ ¹⁴ CORPUS on January 7, 2018 before the U.S. District Court (CV: 18-00007-H-DLC-JTJ) in the Helena Division which was thereafter taken to the U.S. Court of Appeals for the 9th circuit (18-70384¹⁵; 18-70504; 18-70514, 18-70544) which was DISMISSED WITHOUT PREJUDICES for each individual to file and bring before the "STATE COURTS" TO ALLOW The "State" Court(s) to correct it's errors first. This is precisely what Lout has done.

17) AS A MATTER OF FACT: The FACTS in the claims Raised by Lout do in FACT SUBSTANTIATE that Lout's CONSTITUTIONAL RIGHTS HAVE BEEN WHOLLY VIOLATED in every Aspect and that He did NOT have any knowledge of these crucial and vital FACTS OF LAW until October 2017 which "CAME TO LIGHT THROUGH Lout's EXTENSIVE LEGAL RESEARCH which started with the JUDICIAL STRUCTURAL

DEFECTS Which in and of Themselves Call into QUESTION THE FUNDAMENTAL FAIRNESS AND THE JUDICIAL INTEGRITY IN THE CASE AT BAR Which has Created an Actual CONTROVERSY and has CREATED A MANIFEST and GROSS MISFEASANCE OF JUSTICE to Lout.

18) AS A MATTER OF FACT: Lout has clearly Established his CONSTITUTIONAL AND FUNDAMENTAL RIGHTS OF his 5th and 6th Amendments to be tried before an Impartial Judge/Court has been violated; His 8th Amendment of Excessive SANCTIONS to be Sentenced EQUALIZER to ALL OTHER OFFENDERS OF THE SAME OR ALIKE CRIMES Were violated and His Due process Right to challenge the Tier Level 3 designation have been violated which Establishes that Lout's FUNDAMENTAL RIGHTS OF THE 14th AMENDMENT OF DUE PROCESS, EQUAL PROTECTION AND [LIBERTY INTEREST] has been Severely violated in the Case before us and this STATES HIGH COURT HAS THE DUTY TO DISMISS AND EXONERATE Lout FROM HIS UNLAWFUL and ILLEGAL IMPRISONMENT and THE CHARGES IN Both (DE:99-22 and DE:02-79) CASES.

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 20th, day of December, 2019

In the County of: Powell; S)

In the State of: Montana. S)


Jeffrey J. Lout / Pro Se Appellant.

CERTIFICATE OF SERVICE

This certifies I have served the ~~following~~ ^{following} individuals the above foregoing, First class Prepaid Postage in the U.S. Postal Service on this 20th day of December, 2019.



Bowen Greenwood - Clerk et.

Montana Supreme Court

215 North Sanders, PO Box 203003

Helena, MT 59620-3003

Michael S. Wellenstein - Asst. Atty. Gen.

Montana Attorney General's Office

215 North Sanders, PO Box 201401

Helena, MT 59620-1401

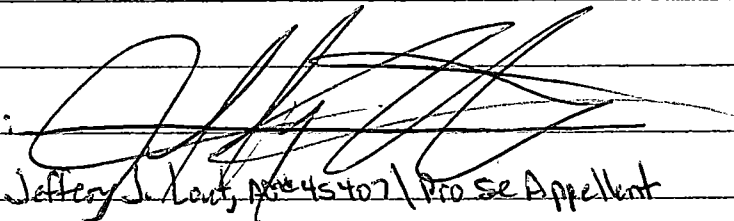
William E. Fulbright - cnty. ~~Atty.~~ ^{Atty.}

Beavalli County Attorney's Office

205 Bedford, Suite - C

Hamilton, MT 59840

By:



Jeffery J. Lantz, #45407 / Pro Se Appellant

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,	)	MEMORANDUM
Appellant,	)	IN SUPPORT OF
vs.;	)	LOUT'S OBJECTIONS
State of Montana,	)	AND REQUEST FOR
Appellee.	)	A REHEARING.

1) Comes Now, Jeffery J. Lout, Pro Se Appellant hereby submits the following MEMORANDUM IN SUPPORT OF LOUT'S OBJECTIONS AND REQUEST FOR A REHEARING AS A PROPOSED STIPULATIONS FOR A FINAL RESOLUTION TO THE CURRENT CASE BEFORE THIS COURT.

SUPPORTING STATEMENT OF FACTS

2) Lout has Raised SUBJECT MATTER JURISDICTION, JUDICIAL STRUCTURAL ERRORS AND SUPPORTING FACTUAL EVIDENCE WHICH FULLY SUPPORTS LOUT'S CLAIMS BEFORE THIS COURT TO THE EXTENT OF THE "PERSONAL and BUSINESS" INTERACTIONS BETWEEN LOUT AND (LANGTON) THE COURT WHICH ARE SYSTEMATICALLY CONJAINED IN BOTH OF LOUT'S CASES) DC: 99-22 and DC: 02-79, WHICH THE COURT (LANGTON) WAS ALSO SYSTEMATICALLY INVOLVED IN ALONG WITH NUMEROUS OTHER INDIVIDUALS IN THEIR OFFICAL CAPACITIES ² WITH

Officials and the INTERACTIONS with these officials including but not limited to Judge Langton, Judge Haynes and numerous other County/State Officials; and Coupled with The States interest and Lout's nearly 21 years of Continuous Incarceration Lout offers the State of Montana Ravalli County Attorney's Office, the 21st Judicial District Court and this Court the following proposed Stipulations to put a Resolution to Lout's Cases.

10) The Following Stipulations Allow FAIRNESS OF Equitability in the Sentencing of Lout Equal to other Offenders with the Same or Alike Crimes, in Conjunction of Allowing the STATE the RECORD OF A CONVICTION opposed to the Highly Probable Exoneration of the Charges as a whole upon Appeal to a Federal Court of Appeals or U.S. Supreme Court.

11) Lastly, Lout's taken into Account the Governmental Interest, Public Safety and the Rehabilitation and Punishment Factors. Lout has been continuously Incarcerated ²¹ Since August 2001 upon his Return from Missoula Pre-release, Lout's successfully Completed All court ordered Treatment with the exception of SOP Phase II which Lout can obtain in the Community at his own cost; Coupled with the Seriousness of the PRISONS OVERCROWDING; The obvious Administrative Problems of Controlling the current prison populations; The Continuous issues of Lack of Adequate Staffing for the prison population; The Unavailability of Public Funds with which to build New Prisons and the OVERWHELMING Burdensome upon the Montana Tax payers; A FLAT DISCHARGE OF Lout would be the most Reasonable and most Sensable Resolution to this case at bar; As the STATE gets it's conviction(s); Lout has REASONABLY SERVED 20 plus years constituting a 20 Years FLAT SENTENCE which he Originally offered the Court from the Start; All of which WILL RENDER JUSTICE ADEQUATELY SERVED THE CASE(S) BEFORE THIS CASE AT BAR.

7) AS A MATTER OF FACT: Lout Wholly Declares; He has names, dates, the Places and Approximate times of his INVOLVEMENT with Numerous city and County Officials which he incanted Shortly after he was inducted as Asst. Boy Scout leader in September 1994 and thereafter took over as Head Coach of Hamilton Eagles Boxing Club in September 1997; After which Incantations became a weekly Active Systematic Practice with Numerous Judicial Officials in and throughout Baxalli County Regarding the Youth Boxers, and/or their Families. Lout has indicated on the Court's' Records his Personal Involvements with Langton, only. There are numerous Others.

8) Lout Declares; He's enclosing an EXHIBIT in support to show (Lout has) been ~~been~~ Active in the ILLEGAL ACTIVITIES including Many Baxalli County Agencies and/or their Employees; Whereas Lout's involved with the F.B.I. in Missoula, MT. as well as Washington, D.C. Also with Regards of the Continuous Staff Misconduct of MSP and DOE Staff Officials.

CONCLUSION.

9) Lout has taken into Account the Severity of the QUESTION OF FUNDAMENTAL FAIRNESS OF Lout's Court Proceedings; The Severity of the INTEGRITY OF THE JUDICIAL PROCESS WHICH HAS BEEN COMPROMIZED AS Lout's clearly established on both STATE and FEDERAL Court Records; The Fact that An Actual Controversy does exist in this case; Along with the STATE'S BEST INTEREST in this case going to a Higher Federal Level Court, the Council and Vital Knowledge which Lout and the Associates of Lout possess With Regards to the CRIMINALITY ACTIVITIES of the Baxalli County

THE HAMILTON POLICE DEPARTMENT, CITY ATTORNEY'S OFFICE, (BCSO) RAVALLI COUNTY SHERIFF'S DEPARTMENT, RAVALLI COUNTY ATTORNEY'S OFFICE AND MULTIPLE OTHER AGENCIES IN AND THROUGHOUT RAVALLI COUNTY.

3) AS A MATTER OF FACT: On AUGUST 3, 2018 Lout was OFFICIALLY DEPOSED BY The U.S. Attorney's Office of the U.S. Dept. of Justice in Missoula, MT along with Robert C. Myers (Atty@lca) Regarding Lout's Involvements with Jeffrey H. (Langton) at both the Exchange Club and Rainbow bar between the Years of September 1996 and December 31, 1998 which too included Lout's Tenor as the Head Coach of the Hamilton Eagles Boxing Club up until March 28, 1998 when Lout Resigned.

4) AS A MATTER OF FACT: The Numerous Issues and the PERSONAL INVOLVEMENTS Between Lout and Langton are Laid out in detail in and Throughout Lout's August 2008 MOTION TO WITHDRAW GUILTY PLEA, which Langton had Initially Disqualified himself (Sept. 13, 08) and still came back and issued an ORDER DENYING Lout's WITHDRAWAL OF GUILTY PLEA on October 27, 08 and filed an AMENDED ORDER January 22, 2009.

5) AS A MATTER OF FACT: In July 2007; Lout Raised the Controversy between Lout and Dept. County Attorney: T. Geoff (Mahar) Regarding the BREACH OF PLEA-AGREEMENT Regarding (Rex) Eric Walker; who had also been involved and Incauntered with Involvements between Rex and Langton both Prior to Lout's Cases and After Lout's Incarceration.

6) AS A MATTER OF FACT: On July 11, 2019: Lout filed a MOTION TO COMPEL to Receive the "PUBLIC INFORMATION" of the CRIMINALITY AND CRIMINAL INVOLVEMENTS of Former Judges) Langton, Haynes; Former Prosecutors Corn, Mahar and Active Prosecutor Fulbright and numerous others. The 21st Judicial District Court has yet to Rule on this Motion.

Lout's PROPOSED STIPULATIONS

1) The State Agrees to the Following:

a) Supreme Court Will REVERSE AND REMAND CASE: DE: 99-22 back before the State District Courts New Judge(s) (Hint or Recht) for Resentencing Lout EQUAL TO ALL OTHERS OF SAME OR ALIKE CHARGES;

b) WHEREAS THE STATE AGREES TO (10) TEN YEARS WITH (5) FIVE YEARS Suspended on both Counts; To RUN CONCURRENT TO EACH OTHER and CONCURRENT TO CASE DE: 02-79, AND Lout SHALL BE RELEASED AS FULLY DISCHARGED.

2) THE STATE AGREES TO THE FOLLOWING:

a) The Supreme Court Will REVERSE and REMAND CASE: DE: 02-79 Back before the 21st Judicial District Court before New Judge(s) (Hint or Recht) for RESENTENCING Lout EQUAL TO ALL OTHER OF SAME or ALIKE CHARGES;

b) WHEREAS: Count 1 of SEXUAL INTERCOURSE WITHOUT CONSENT; SHALL BE VACATED, SET-ASIDE AS VOID; ~~AND~~ REGARDING: ~~the~~ Charles Walker, ~~the~~ Rex Walker and Howard Henson. HENCE Lout SHALL BE EXONERATED ON THIS COUNT.

c) WHEREAS: Count 2 of SEXUAL INTERCOURSE WITHOUT CONSENT; SHALL BE DISMISSED TO LESSER INCLUDED OFFENSE OF SEXUAL ASSAULT; MCA 45-5-~~502~~⁵⁰⁹, AND SHALL BE RESENTENCED TO 10 YEARS WITH 5 YEARS SUSPENDED; Lout SHALL BE RELEASED IMMEDIATELY; TO SUSPENDED (PROBATION) TIME UNTIL JUNE 6, 2022.

3) Lout AGREES TO THE FOLLOWING:

a) ~~AND~~ WHEREAS; So Long as the STATE and Court Agree to the Above foregoing stipulations; Lout SHALL Sign a NON-DISCLOSURE/CONFIDENTIAL AGREEMENT NOT TO DISCLOSE Regarding either Jeffrey H. Langton or James A. Haynes' Involvements with Lout between the Years of January 1995 to December 31, 1998.

b) WHEREAS: Lant Agrees to Leave the State of Montana upon Full DISCHARGE OF HIS PROBATIONARY TIME on June 6, 2022; Unless the State Agrees to FLAT DISCHARGE LANT ON ALL COUNTS LISTED ABOVE; Lant SHALL leave the State as soon as Applicable Funding wise to an undisclosed destination.

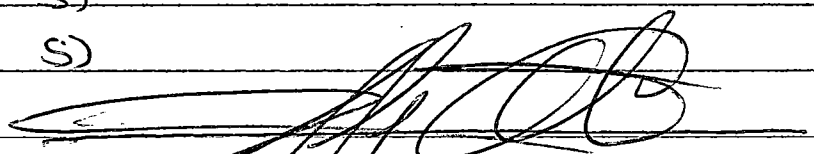
OATH AND DECLARATION.

I, Jeffery J. Lant, Pro Se Appellant; Hereby Agrees to all the above Conditions and Stipulations; And I have drafted this of my own Free Act and Will as ~~of~~ A FINAL RESOLUTION TO RESOLVE ALL CONTROVERSIES in regards to Lant's Case(s). I Assent and declare the Information set forth herein is True and Correct based upon my first hand Knowledge and experiences and I hereby declare it to be True and Correct under the penalty of perjury pursuant to MCA 45-7-201 and 28 USC § 1746 and if I'm called upon to Testify to the Facts set forth here in I shall so state.

Dated and Executed this 20th day of December, 2019.

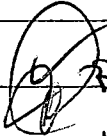
In the County of: Powell; S)

In the State of: Montana S)


Jeffery J. Lant, AOR# 45407 / Pro Se Appellant.

CERTIFICATE OF SERVICE

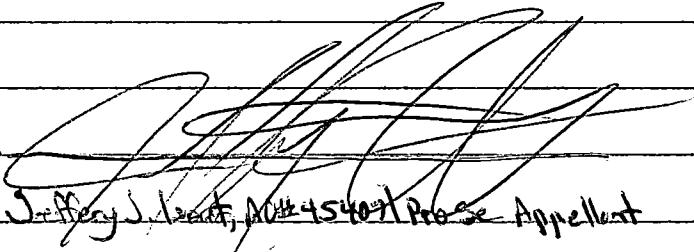
This certifies I have served the following individuals the above
Foregoing First Class prepaid Postage in the U.S. Postal Service on this 20th
day of December, 2019.

 Bowen Greenwood - Clerk
Montana Supreme Court
215 North Sanders, PO Box 203003
Helena, MT 59620-3003

Michael S. Wellenstein - Mt. Asst. Atty. Gen.
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Helena, MT 59620-1401

William E. Fulbright - cnty Atty.
Ravalli County Attorney's Office
205 Bedford, Suite - c
Hamilton, MT 59840

By:


Jeffrey J. Leach, #45407 Pro Se Appellant
Montana State Prison
700 Conley Lake Road
Deer Lodge, MT 59722

LEGAL EXHIBIT

Selena DeVantier - S.S.A.
U.S. Dept. of Justice / Criminal Division
119 West Front Street, RM 305
Missoula, MT 59802

November 23, 2017

RE: Additional Information Regarding Current Investigation of
the Ravalli County Justice System (i.e. Courts, County Atty.
Office and R.C.S.O. / Detention Center). In RE: Moroni
Nuttal.

Ms. Selena DeVantier,

Greetings to you. My Name is Jeffrey John Lout. I have a
very professional business relationship with Kris A. McLean the 1st
Assistant U.S. Attorney General with the U.S. DOJ their in Missoula
and have in the past Spoken with Numerous Fellow Senior
Supervisory Special Agents (S.S.A) Scott Cruz (Now Executive
Director of Montana's Board of Pardons and Parole); James A. Wilson
(of Great Falls Office Regarding Nathaniel ~~Bar~~ ^{Bar} ~~John~~ ^{Jonah} in 2007/08)
and Recently Montie Shaide Regarding MISTREATMENT OF PRISONERS
and the ILLLEGAL INTRODUCTION OF CONTRABAND INTO MSP by MS,
Erin Bernhardt ~~MS~~ ^{MS} Laundry Employee and Offenders Ian Scott
Baselay and Probationers Cordero Robert Metzker. I'm giving you this
Information so you're Fully aware I do NOT File Frivolous claims
and Convictions have come from some and other Action has come from
others. Do feel free to make contact with Mr. Kris McLean at (406)
542-8851 or (406) 829-3330, if you feel the need to Reference my
word.

I'm writing to you as a very good friend of mine Moroni
(Nuttal) has gives me your Name, Address and phone and has

indicated that you've been conducting an ongoing investigation into the Ravalli County Justice System.

Like Moremi, I too have had much the same experiences regarding the Illegal and Corrupt Acts by the Prosecutions Office and the Court. Along with that I have other pertinent information that pertains to the Prosecution's Office, City Attorney's Office; From City Atty ("Jim") James Haynes; From Sheriff Jay Prience; From Hamilton Det. Sgt. and From Sheriff Perry Johnson; From Dept. Lt. Sheriff R. Scott Leete; From 911 dispatchers and From Youth Officer Christina Leete (ex-wife of Scott) and a common link between Dept. ~~Atty~~ County Attorney T. Geoffrey Mahar; Hon. Jeffrey H. Langton; Sheriff Perry Johnson (then Hamilton Det. Sgt.) R.C.D.O. Dept. Lt. R. Scott Leete and James ("Jim") Haynes (then Hamilton City Attorney) and Robert ("Marc") Setmore (then a commonly known Drug Distributor / Dealer.)

I have in my Court Record documents (02:02-79:570m v. Jeffery J. Lawt) brought to the Record of the numerous encounters Hon. Langton; Dept. County Atty. Mahar, Scott Leete and I have had throughout the years of 1995 to 1998 Just Short of my Arrest on February 12, 1999 and the Ties or Links we all had through our weekend Associations with each other and including Mr. Setmore, and his Products of pot and cocaine.

To Further Corrupt and/or Illegal Acts by these officials; In 2007 I notified (then) Sheriff Perry Johnson Regarding information I had and offered to disclose it Regarding the UNSOLVED TRIPLE HOMICIDE of the Florence ~~Beut~~ Beauty Salon from back in 1997/98. Johnson Failed to follow up any type of Investigation. I'm unsure if this was ever solved or not. This plays a significant Roll however in a link to my case of 2002/03; as one of the Beauty Salon victims was the Mother to my "Alleged" victim Justin Eloringer, who was knowingly killed

with me on July 10, 2012 by the RDC officials through an order of the Prosecutions Office Dept. City Atty. T. Geoffrey (Mahar) in ~~which~~² which to Purposely use Cloniger to Set me up for these current Charges. Hence Mahar purposely placed Cloniger a known (CI) Confidential Informant in my cell to get the "Alleged" Charge on Cloniger by me. I attempted to bring this vital Information to light with my then (PIO) Public Defender Sasha K. (Brownlee) who flatly Refused to bring that and Numerous other pertinent Information forth to the Court or Prosecution.

It later came to my knowledge and attention after my Sentencing Hearing that Ms. Brownlee was being compelled NOT TO DEFEND my CASE and to ensure my case did NOT GO TO TRIAL as they (i.e. Mahar, Corn, Langton, Haynes and the RES. Percy Johnson) would make Ms. Brownlee's Life Hell, starting with having DFS take her child.

In Support of this Steaming from Previous encounters with Mahar, Corn and Langton and Percy Johnson are Attorney's Randy Lint who was Appointed as a "Conflict of Interest Atty." to Represent me in my 1999 case, (De: 99-22 STOM v Lant), who was later the Justice of ~~the~~ PEACE for Ravalli County and Forced to Step down by Langton, Corn and Mahar.

Another Attorney (Private) whom my ex-wife Rebecca L. (Jones); (Becky) and I hired to defend against Cheryl and Dean Walrod on the False and Fabricated Accusations of Theft of Money From the Boxing Association; was Robert Jordan (Fusk) who had only Resided in Hamilton for about 2 years prior to accepting my case and upon my case he was too Ran out of Ravalli County by Mahar, Corn, Langton and Haynes.

Mr. Fusk personally witnessed (then) City Atty. James Haynes Accept a PERSONAL CHECK From Dean and Cheryl Walrod upon the Conclusion of the Civil Suit which was Found against me, and as a Part of the Condition was I and Becky Step down as Head Coaches of Hamilton Eagles Boxing Club and I Step down from the Montana Boxing Association.

Previously to the civil suit, Both Becky and I had come across Resistance by Dean and Cheryl (Walrod's) who'd coached the (HEBC) Hamilton Eagles Boxing Club for 25 years, And had sat as the President and Vice President for the (MBA) Montana Boxing Association for 10 to 15 of these 25 years.

Upon Receiving the Files for the HEBC and the MBA along with the Checkbooks and Accounting Files we found Walrod's was using both Accounts for their personal business. I brought this Forward to MBA Members Gilbert Wall out of Browning and Head Coach for Great Falls Electric City Boxing Club Can't Remember his Name at this time; and Helena's Coach - Can't Remember his Name, but was a Youth Probation Officer in (1985-95) Helena, Regarding the Misappropriation of Funds, Embezzlement of Funds and others. Later and upon an Emergency State wide MBA meeting the Walrod's were Forced to Relinquish all Files, Check Receipts, etc. for an Inner MBA Investigation. Shortly thereafter the Walrod's launched a Slew of Accusations against me (and) Regarding the money. It only progressed and I being new was later Sued by only Walrods, Not the MBA.

I could write pages and chapters Regarding the things that Transpired with the Boxing stuff. In short; the common links are between Corn, Maher, Langton, Haynes, Perry Johnson, The Walrods, The Lee's; and Mr. Mack (Robert) Wetmore. A Full Fledged Investigation Will Uncover the Corruption, and Illegal Acts by these people.

I'd like to be able to sit down with you and if possible Hon. Kris A. McLean and get into all the nitty gritty of Ravalli County's Justice System. I've NOT Denied any of my wrongdoing; In fact I've OWNED up to my Transgressions; I'm Serving a Life Sentence and surely a Life Sentence for my wrongs is not worthy of the Life Sentence. Nevertheless; These other Real Criminals Remain at Large and too must be brought to Justice.

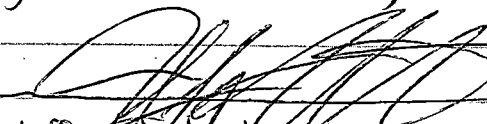
I'm open to Signing any Confidential Release of Information Forms to help you in your Investigation. You'll also need to somehow obtain all the HEBE Records From 1976 to present and all MBA Records from 1982 to present, to disclose the truth on the Theft of Money's and You'll Really need to dig through the Ravalli County Attorney's Offices Records, City Attorney's Office for when Haynes was Prosecutor and the 21st Judicial District Court Records From 1980 to present.

You'll need to obtain all Files on Perry Johnson as Hamilton Police officer, Hamilton Police Detective, FBI Credentials and his Records as Ravalli County Sheriff; Records on R. Scott Lee dating back to 1985 to present; Records on James "Jim" Chinn R/S Detective; Records on R/S Deputy "Chuck" Charles Givinston (Former Officer); Records on Felon Robert Mark Jetmore from Hamilton, Ravalli County and those in California prior to his Residency in Montana; Records on "Jetmore Roofing" and Records into Jeffrey H. Langton's Criminal History including his 3 Probation Violations of D.U.I's, Sexual Abuse of Children, etc., and into James Haynes' Personal Finances for Accepting bribes by Waltrud's; his Computer Hard drives for Child Pornography; etc. Said to be on his "Benches" Computers.

That's where you'll need to start. Also be advised in October of 1998 I personally filed a Formal Complaint against Sheriff Johnson, (then) HEB Det. Scott Lee (then) R/S Lt. Dept. for his Spousal And Child Abuse, and on Mahur and Langton and their Drug Dealer Mark Jetmore with Washington D.C.'s Internal Affairs Division. As you'll find nearly 4 months after I filed my October 14, 1998 Complaint I was Arrested and Since Buried in the Corrupt Montana Justice System.

Again I'll Look forward to Seeing you and Mr. McCann in the Near future and of Receiving a Response within 14 working days of Receiving this Letter.

Respectfully Submitted this 13th day of November, 2017


Jeffrey J. Frank, AO# 45407