

ORIGINAL

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Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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Case Number: OP 20-0339

JUL 31 2020

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Pro Se
Duane Ronald Belanus
ID #3003449
Montana State Prison
700 Conley Lake Road
Deer Lodge, MT 59722

IN THE SUPREME COURT
OF THE STATE OF MONTANA
No. OP 20-0339

Duane Ronald Belanus,
Petitioner,

vs.

Lynn Guyer,
Respondent.

PETITION FOR
REHEARING IN
REGARDS TO
MCA 45-5-503(3)(a)
ORDER
2020 Mont. LEADS 2107

Comes Now, Duane Ronald Belanus,
who respectfully files this Petition for
Rehearing in regards to MCA 45-5-503(3)(a),
Order, 2020 Mont. LEADS 2107,

I) Argument

The arguments in this case are
nowhere similar to the challenges in

Habeas Corpus Cause No. OP 20-0338,
See #2. Montana's Legislature Fundamentally
guaranteed that life imprisonment under
45-5-503 is life registration, not life
in prison. MCA 46-18-211 creates a
Fundamentally Guaranteed Liberty
Interest to not being sentenced to a
life in prison sentence under 45-5-503.

I incorporate the facts of the
Petition for Rehearing in OP 20-0338
in this proceeding. This Court explains
that my challenge to my sentence
comes more than a decade too late
just as said in OP 20-0338 has no
bearing on anything. Lyle Johnson and
Ken Whitlow filed 30 years after they

were sentenced, and their petitions were heard, adjudicated, and done by law. This courts ruling here, doesn't even have a basis in law or reason.

A Fundamental Right violation of my liberty and Freedom by way of an illegal, unconstitutional, and exhaustive, by way of expiration, sentence, can never be barred; but that's why this courts proceedings are plainly fundamentally unfair when I've shown a clear violation of my Fundamental Constitutional Rights and provided cause and prejudice for any perceived possible procedural bars.

This Courts rulings in this

Case and in OP 20-0338 are contrary to clearly established United States Supreme Court precedents, implicating my Liberty Rights; as I'm sentenced in excess of what Montana's legislature intended and enacted into law (Rutledge v. U.S., 517 U.S. 292 (1996)) and sentenced in excess of what statute authorizes (In re Bonner, 151 U.S. 242 (1894)).

I have a Fundamentally Protected Due Process Liberty Interest guarantee under 46-18-211 to not being sentenced to life in prison for the punishment of life imprisonment imposed under 45-5-503(3)(a); an arbitrary deprivation of a 14th Amendment protected Liberty Interest guarantee provided

by Memorandum Statutory Law.

II) Conclusion

This position for Relieving has been given as this Court can correct its mistakes in the first instance. The

Memorandum Language of the statute in Board of Pardon v. Allen refers the

outcome of the memorandum language of

the statute in my case, but this Court

already knows that, and that's why I'm

to present further as a ruling in my favor

will keep open as well.

Respectfully submitted this 13th

day of July 2021.

Alvina Ronald Belanus

Alvina Ronald Belanus

Declaration

Plaintiff to ss U.S.C. 1746 and
MHA 16-205, I, Duane Ronald Belanus, Juror
and declare under the penalty of perjury
of perjury that the foregoing is true.
Done this 23rd day of July, 2020.

Duane Ronald Belanus

Duane Ronald Belanus

Certificate of Service

I, Duane Ronald Belanus, certify

that a copy of the foregoing was sent to:

Clerk of Court
Montana Supreme Court
P.O. Box 3003
Helena, MT 59603-3003

State of Montana
Attorney General
P.O. Box 301401
Helena, MT 59603-1401

Respectfully submitted this
23rd day of July, 2020.

Duane Ronald Belanus

Duane Ronald Belanus