

## IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 21-0008

AMELIA GARCIA,  
a/k/a ASHLEIGH D. PUHL,

Petitioner,

v.

STEVE HOLTON,  
Ravalli County Sheriff,

Respondent.

FILED

JAN 19 2021

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

## ORDER

Representing herself, Amelia Garcia, also known as Ashleigh D. Puhl, has filed a Petition for a Writ of Habeas Corpus, indicating that her sentence and her incarceration are illegal. She is currently detained in the Ravalli County District Court.

Upon review of her Petition, Garcia does not provide any claims regarding a criminal sentence. She states that she was arrested for methamphetamine and amphetamine charges. Garcia states several times that she was part of a witness protection program and provides a name and phone number for this Court to contact, verifying her family's agreements with the U.S. government. She further alleges that "inmate treatment, inmate privacy and inmate medical malpractice [have] been overlooked greatly." Garcia requests her immediate release.

Montana's statute for habeas corpus relief provides that a court may inquire into the cause of restraint or incarceration. Section 46-22-101(1), MCA. As a petitioner, Garcia carries this "burden of proof or the burden of persuasion." *In re Hart*, 178 Mont. 235, 249, 583 P.2d 411, 419 (1978). Garcia must prove "the violation, deprivation, infringement, or denial of his constitutional, statutory, or legal rights generally, or denial of due process of law[.]" *In re Hart*, 178 Mont. at 250, 583 P.2d at 419.


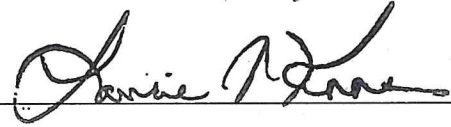
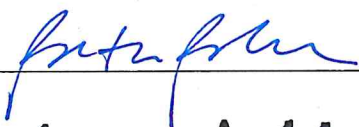


We secured a copy of the Ravalli County District Court's register of actions. Garcia has counsel appointed to represent her in this criminal case. The District Court has scheduled a hearing on a pending motion to suppress.

Garcia has not carried her burden or presented a record sufficient to make a prima facie showing about the sufficiency of the cause of the incarceration and its illegality. Section 46-22-101(1), MCA. She has not clearly articulated any argument about illegal restraint, want of bail, or other claims viable under habeas corpus. Habeas corpus is not ordinarily available to determine whether other constitutional rights, such as conditions of confinement, have been violated. *Gates v. Missoula County Comm'rs*, 235 Mont. 261, 261-62, 766 P.2d 884, 884-85 (1988). This Court does not conduct research for litigants, and we cannot provide any remedy for her instant petition. Accordingly,

IT IS ORDERED that Garcia's Petition for a Writ of Habeas Corpus is DENIED and DISMISSED.

The Clerk of the Supreme Court is directed to provide a copy of this Order to Paige Trautwein, Clerk of District Court, Ravalli County, under Cause No. DC 2020-124; to counsel of record; to Caitlin Creighton, Ravalli County Attorney's Office; to Abel J. Thomas, Attorney for Defendant; to Sheriff Steve Holton, and to Amelia Garcia personally.

DATED this 19<sup>th</sup> day of January, 2021.

  
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Justices