

FILED

07/13/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 22-0370



ORIGINAL

Kathah Johnson

Inmate Name

177081

Inmate ID or AO#

VEDF

Facility of Incarceration

3165 King Ave Est

Address of Facility

Billings

City

MT

State

59101

Zip

FILED

JUL 13 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. _____
[The Clerk of Court will assign a number]

Kathah Johnson

NAME

PETITIONER,

v.

Petition for Writ of
Habeas Corpus

NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

I, Kathah Johnson

[Name of Inmate]

, am representing myself, and I
believe that I am entitled to a Writ of Habeas Corpus under § 46-22-101, MCA, for one
or more of the following reasons:

[Check the applicable box]:

☐

The Department of Corrections has incorrectly calculated my sentence which
illegally extends my parole eligibility or discharge date.

☐

The Parole Board should have granted me a parole AND the Board violated my
Due Process rights in denying me a parole.

☐

I am entitled to more credit for jail time served than I received.

☐ My sentence is illegal because:

☐ I was sentenced after April 28, 1999, and I received a sentence of more than 5 years to the Department of Corrections, none of which was suspended.

☐ My sentence violates my right to be free from double jeopardy.

☐ The length of my sentence is longer than the law allows.

☐ I am entitled to good time that is not credited against my sentence.

☒ I am being held in jail and I believe my bail is excessive.

☒ Other reason incarceration is illegal.

Describe in detail why you are entitled to habeas corpus relief. Be specific. If possible, provide citations to legal authority. Attach any documents that help you explain why the Court should grant your petition. A copy of any judgments, orders or other documents that support your argument must be provided.

2/19/21 I Kathan D Johnson was arrested
for Sex Without Consent, II Robbery and
PFMA. DL 21-236.

During this time I was unlawfully detainee
which was acknowledged by Judge Michael G
Moses and two other witnesses A. Foster
& L. Koch plus the prosecutor Jacob,
Yeger.

I also have evidence that Evidence
has been tampered with.

Which brings up My Constitutional rights

have been violated, I orally motion
for a speedy trial, which ~~means~~ ~~is~~

Constitute. The state has ~~had~~ to get
me to trial within 200 days or ~~be~~ ~~it~~
if not it shall be dismissed.

It has been over a year and 6 mth
and I have been counting,

I see a psych now, also have had
trump cases, extremely high bonds, taken
meds,

I have documents to back me up &
witness. Thank you for your time.

Insufficient Representation.

During my time in jail I was attack
by twice by the soprose victims family.

D. Ramirez,

My Family has been threaten behind
this,

Also Malious Prosecution, Police Harrasment
Tampered Evidence, Intimidation

[Use extra pages if necessary]

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As relief, I request the following:

- ☐ my immediate release from prison.
- ☐ reduction of my sentence or that this Court remand this cause to the district court directing the court to resentence me to a lesser sentence.
- ☐ that the Department of Corrections recalculate my sentence as this Court directs.
- ☒ Other relief. Explain:

VERIFICATION

STATE OF MONTANA)
County of Yellowstone) ss.

I believe I am being incarcerated illegally. I certify that the contents of this petition are true and accurate to the best of my knowledge.

DATED this 16 day of June, 22.


Inmate Signature

Nathan Johnson
Printed Name

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on June 19, 2022, I have mailed the Petition for a Writ of Habeas Corpus, as noted by a check mark (✓), to the following attorney by placing a copy in the United States Mail, postage prepaid:

✓ State of Montana

(see INSTRUCTIONS #9)

Office of the Attorney General

P. O. Box 201401

Helena, MT 59620-1401

or

✓ Yellowstone County Attorney (see INSTRUCTIONS #9)
[Write name of County]

Kathan Johnson
[Signature]

Kathan Johnson
[Print name]