



09/13/2023

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 22-0148

About Joshua James Thornton, my supposed Appellate Defender, took it upon himself to file an Ander's Brief against my request and with blatant disregard for my life and the lives of my children having their father.

I told him we conflict and I wanted another appellate attorney; he treats me like I'm inferior. I asked Thornton if he believed I was even innocent, he said quote "I don't know how to answer that" unquote. I said you're fired, he said really all decisions are up to him. They're not. This is the entirety of my life.

Thornton is the most irresponsible attorney I've ever heard of; writing off a PSI report and entering it in court is illegal, Thornton's lazy behavior may cost me my life.

Let's go through Thornton's lack of work and slander completely ignoring facts. Let us start with the first line of statements of the case:

1. On May 12th, Sanders County Attorney in Justice Court allegedly committed the offense of assault with a weapon.

Key word left out:

Sanders County D.A., a woman whom I know as my wife's custody attorney, an attorney against me in a criminal CPS case they lost because I volunteered for a poly-test; my wife lied. I did not. Just as I did not lie in this case.

D.A. Naomi Leisz was my slumlord I had nothing but problems with, because 'til my wife grew-up from being petty she taunted Naomi. Now they're friends.

2. Thornton goes on to say Naomi charged me more erroneous charges to further her case with my custodial judge.

I never filed anything to the effect and anything Kirk Krutilla filed Kirk even signed my name.

3. Kirk filed everything Thornton keeps referring to me as filing. Why is Kirk not mentioned?

Kirk Krutilla, my so-called attorney also in the same criminal case against me is not mentioned in Thornton's Anders Brief.

4. On page 2, line ³¹⁻⁴ of the Ander's Brief, I never waived a right to any hearing.
5. On page 3, lines ^{44, 70} On January 19, 2022, I was never sentenced to "mandatory counseling" at all, Thornton is a liar, only working out of PSI stipulations. See the attached Order. I have ^{86, 28, 45} 86, not 13,133.43. This is another lie.

FILED

SEP 13 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Christopher

M
Krutilla

- 1.) Kirk Krutilla is not mentioned as my attorney, an intentional error by Thornton to sway the fact Krutilla was wrongfully appointed to me; being Krutilla was against me in a D.r. criminal case as well as Naomi R. Leisz. They were both opposing Counsel.
- 2.) On page 2 of the Anders Brief, line 31: I never waived any right to hearing. Kirk Krutilla kept signing my name. Page proof attached with first alleged charges to Justice Court.
- 3.) Thornton Blatantly lies about my chrages in an unwanted Anders Brief.
In Subsection 84, lines 4-7; Thornton even misquotes code on Anders Brief. I never was sentenced to mandatory counseling. See order attached. Assessment Only. Thornton also is incorrect about amount of restitution. It is \$8,628.45 not \$13,133.43. Lies.
- 4.) On page "A", lines 1-4, Thornton goes over the fact Naomi Liesz was against me in a criminal matter. "Naomi Lost". Kirk Krutilla is a large part of the case against me and representation of my wife. Kirk Krutilla never should have been my appointed counsel on this alleged criminal case.
- 5.) My Father was owed nothing for the loan of \$30,000.00 in 2013 and as far as him matching legal fees; their his grand-kids.
- 6.) I was not served in a timely manner to appeal in MDIU. It was past the 21 days of appeal, or it would be back in Sanders County.
- 7.) Naomi Liesz was never served Anders Plea by Thornton. Naomi was not in office as Sander's D.A.; she removed herself on felony charges. Again, Thornton lied to the court of service.
- 8.) It is my belief that Krutilla, my unnamed attorney in this illegal case against me, resigned for reasons of investigation of Naomi.
- 9.) Being that appellate Thornton is so unconcerned to make so many proven mistakes on unwanted Anders Brief, makes believe whole heartedly Thornton is not capable of being my or anyone's attorney in regard of their lives.

Christopher
M
Auerfurt

To Whom It Concerns:

The last time I saw my little girls, they were hanging off me screaming, "please don't leave us, we love you Daddy." It's all I think about: how much I love them, and how far away my heart is from them. Every-Day-Dad was all I ever wanted. This never would have happened if I had them then, they kept us all whole and happy.

My mom died in my arms, a heart attack/stroke and was eaten by cancer. My Dad was all ever I had left. I wanted him to live forever; I certainly did not want to ever hurt him.

The last time I saw him I was calling 911 on and off as he tried to shoot me; I understand he did it out of responce. I still Love him with all my heart; so much so I'm in here.

If he only knew how much I Love him I could be at peace; he would be happier too.

I can't Lose any more and all I want to do is be a person again, the man I was, was me on the stand that's the heart I Love the Life I Lived.

*valid
appeal points
ThornTon
egynored*

Chris M. Overforth

Christopher Querfurth
AO# 3031665
Crossroads Correctional Center
50 Crossroads Drive
Shelby, MT 59474

1. I have stated my Defense Attorney's performance was ineffective. Kirk Krutilla said so himself, ask Kirk; 406-210-6628 - NEOMI and Kirk were opposite counsel in another criminal case; again ask Kirk, 406-210-6628 Kirk was fired in Trial and did no good there or afterward; just sat there. This is Live cast and recorded; Lying against it is futile; again ask Kirk; 406-210-6628; ask Tim Goen 406-827-7500 custodial ATTY

Kirk D. Krutilla
Office of the State Public Defender
Regional Office, Region 1
P.O. Box# 724
Superior, MT 59872 Cell phone: 406-210-6628

2. I have a valid Conflict with NEOMI; yes I call the Da. By name I Know her; she was my Land Lord; my first ATTY and custodial ATTY Case DI-15-34, NEOMI Knows my ex wife on a personal Level and helped her put outrageous Charges against me; proven Lies by a self offered Polygraph with Kalispell Detectives; proving the case was Lies By my wife and NEOMI; They caused me terrible anxiety and NEOMI asked to Be Changed. yes I Know NEOMI.

3. NEOMI wanting to further her case; NEOMI took my ex wife, my Dad, my cousin ~~XXXXXXXXXX~~, my uncle mike, and Brad Johns ex wife's ATTY in front of my custodial Judge Kim D. Christopher without my Knowledge pre Custody case and had my Charges inflated. ask Jeff Lundberg 406-242-0099 Court official ask CO Deputy Jason of sheriff's Dep. ask Kim Christopher herself. 406-883-7360 she was a judge as well with Kirk against me prior.

4. The DA. and investigator was Biased against me due to prior case, Martin spring Kissed at me as I was cuffed it's on video or ask steve miller sanders CO he walked me out and put cuffs on me after conviction.

5. The 45 FN pistol was never tested for my Blood DNA, investigator tom told me it was not really a factor, it is really a factor; it proves I was Beaten and my action was only a response. Martin spring should not test it an outside investigator from missoula *Should*.

6. DA NEOMI Did not follow proper proceedings for witness List; NEOMI was late and still called any illegal witness she wanted.

7. all weapons were removed from home By Brice Trull; To Keep safe Doubtfully; either way they had no crime scene and still went on with Crime scene supegeion's as evidence. recovery report Located at sanders sheriffs office

8. Lynne Bierwagon has a personal vendetta against me; his son william

Bierwagon sexually assaulted (Raped) my friend and got away with it.
I told that to Lynnes face she Does not like me; follow PSI reports

9. The erred By not investigating This evaluation objectively; my DNA
on the FN pistol I was Beaten with, not my springfield 911 ~~on~~ *supposed*.

10. The court erred to continue Trial when I fired Krutilla on telecast
Check it out.

11. I was not able to respond to court in the district for immediate
Transport to fish row and untimely printing/ making of order; Time had
Lapsed By the time I got it

12. I currently suffer from Blood clotting and epilepsy which give
Tremendous Fear and Little hope in prison.

CERTIFICATE OF SERVICE

I certify that I filed this

☐ Petition

☐ Motion

☒ Other Response to Anders Brief
[Name of document]

with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any other party not represented by counsel as follows:

NEOMI R Seay
[Name of opposing counsel]

Anders County ATTY

P.O. Box 519 Thompson Falls Montana
[Address] 59873

Counsel for the state; My Dad, My CEX WIFE & previously

Appellant attorney THORNTON and

Self, requesting New ATTY
[Other party representing himself or herself]

Office of public Defender

P.O. Box 200147 Helena MT.
[Address] 59620-0147

DATED this 5 day of September 9th month, 2023.

Chris Quirk
[Signature]

Christopher M Quirk
[Print name]



CERTIFICATE OF SERVICE

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☐ Petition

☐ Motion

☒ Other Response to Anders Brief
[Name of document]

with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any other party not represented by counsel as follows:

Clerk of Montana Supreme Court
[Name of opposing counsel]

Justice Bldg., RM. 323

215 NORTH Sanders P.O. Box 203003

[Address] Helena MT, 59620-3003

Counsel for State

Appellant attorney Thornton and

Self, requesting New Atty
[Other party representing himself or herself]

Office of public Defender

P.O. Box 200147 Helena MT.

[Address] 59620-0147

DATED this 5 day of September 9th month, 2023.

Chris Quirk
[Signature]

Christopher M Quirk
[Print name]



CERTIFICATE OF SERVICE

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☐ Motion

☒ Other Response To Answer Brief
[Name of document]

with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any other party not represented by counsel as follows:

Austin Knudsen
[Name of opposing counsel]

Appellate Services Bureau

P.O. Box 201401

[Address] Helena MT 59620-1401

Counsel for MONTANA ATTORNEY General

Appellant attorney Thornton and

SELF/requesting New ATTY

[Other party representing himself or herself]

Office of State Public Defender

P.O. Box 200147 Helena MT

[Address] 59620-0147

DATED this 5 day of September th 9 month, 2023.

[Signature]
[Signature]

Christopher M. Overholt
[Print name]



CERTIFICATE OF SERVICE

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☐ Petition

☐ Motion

☒ Other Response to Anders Brief
[Name of document]

with the Clerk of the Montana Supreme Court and that I have mailed or hand delivered a copy to each attorney of record and any other party not represented by counsel as follows:

Chad Wright / Joshua Thornton / self
[Name of opposing counsel]

Office of Public Defender

P.O. Box 200147 Helena Montana

[Address] 59620-200147

Counsel for me / State

Appellant attorney THORNTON and

self, requesting New Atty
[Other party representing himself or herself]

Office of Public Defender

P.O. Box 200147 Helena MT.

[Address] 59620-0147

DATED this 5 day of September ^{9th} month, 2023.

Chris Quirk
[Signature]

Christopher M. Quirk
[Print name]

