

02/05/2024

**Bowen Greenwood**  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 24-0073

Brett Steele Berry  
Name

Inmate ID or AO#

155 W. Quartz Street  
Address

Butte MT 59701  
City State Zip

FILED

FEB - 5 2024

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana


**IN THE SUPREME COURT OF THE STATE OF MONTANA**

No. 24-0073  
[to be assigned by Clerk of Supreme Court]

Brett Steele Berry,  
Petitioner,  
v.  
Capt Vaughn, Butte Silverbow Detention,  
Respondent.

I move the Court to allow me to proceed without paying the filing fee in this cause. I am incarcerated and because of my financial condition, I am unable to pay the filing fee. I realize that the Clerk of Supreme Court does not require a copy of the trust accounting. I believe I am entitled to legal redress.

DATED this 01 day of February, 20 24.

  
[Signature]

Brett Steele Berry  
[Print Name]

# PETITION FOR A WRIT OF HABEAS CORPUS FORM

## MONTANA SUPREME COURT

A Petition for a Writ of Habeas Corpus tells the Court you are being incarcerated illegally or you will be incarcerated illegally.

### INSTRUCTIONS

Please read and follow carefully, or your documents will be returned to you by the Clerk's Office.

1. You must put your name, under which you were convicted, on the first line.
2. Put your inmate ID or AO number on the second line.
3. Put the name of the correctional facility where you are presently incarcerated on the third line. You must be presently incarcerated in a facility to be eligible for habeas corpus relief.
4. On the fourth and fifth lines put the address for the facility where you are presently incarcerated.
5. Do not put anything below the name of the court. The court will fill in the case number for you.
6. Put your name as PETITIONER on the left-hand side.
7. Put your facility's Warden or Captain's name as RESPONDENT in the space on the bottom of the left-hand side, even if you are alleging the parole board is illegally denying you parole.

Montana State Prison	Warden Jim Salmonsens
Crossroads Correctional Center, Shelby	Warden Pete Bludworth
Montana Women's Prison	Warden Jennie Hansen
Cascade Co. Regional Prison, Great Falls	Cmdr. Dan O'Fallon
Dawson Co. Detention/Corr. Facility	Warden Tom Green
Missoula Assessment and Sanction Center	Captain Jason Kowalski

8. Next, answer the questions about your present incarceration.
9. Complete the Verification and Certificate of Mailing (Service) pages. You must send a photocopy of your petition to either the Attorney General or the County Attorney. If you are in a State institution, send the copy to the Attorney General's Office. If you have been recently sentenced and are awaiting transport to a State institution or facility, such as MSP, CCC, or MASC, send a photocopy to the Attorney General. If you are in a county facility, send a photocopy to the County Attorney where the facility is located.
10. Along with this petition, you need to submit payment for a filing fee or a motion to proceed without payment of the filing fee. The form for the motion is included.
11. Make sure to sign the originals and to mail them to:  
Clerk of Supreme Court  
P. O. Box 203003  
Helena MT 59620-3003
12. Mail a photocopy of the petition to the Attorney General or County Attorney as noted above in Instruction number 9., and listed in the Certificate of Mailing (Service) on page 5. Make sure to retain a copy for your records, too.