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FILED

02/28/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FILED

Case Number: OP 24-0117

FEB 28 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

MONTANA'S 11TH JUDICIAL DISTRICT COURT
FLATHEAD COUNTY

STATE OF MONTANA	)	DL-22-310
✓	)	PETITION FOR WRIT OF
CHARLES DAVID AMENT	)	HABEAS CORPUS

Comes now the Petitioner, Charles D. Ament and
moves the courts to find the truth and heart of the
matter.

During the proceedings in cause no. DL-22-310 the
presiding judge Don Wilson has used undue influence to
violate my 5th Amendment right. He threatened involuntary
servitude if I did not enter a plea in cause no. DL-22-310.
At arraignment the Petitioner was asked if CHARLES DAVID
AMENT was his name. The Petitioner stated he did not
spell his name with all capitals. Don Wilson replied,
"Fibolers"

In fact the all capital version of my name is a deedart,
a business version of my name created by the Federal Reserve.
My parents signed off on my live certificate of birth, my

social security was created, my EIN (employment identification number) generated. I have since purchased or created my own business name out of my given name Prime Face evidence it is a business name to begin with.

It is my business what my name is and no one has the right to use my name despite my UCC-1-308 nully up on the cutting room floor because of Don Wilson.

Don Wilson then asked me for a plea to case no. DC-22-300. I stated I plea the 5th

Please, check the court of record.

Don Wilson then asked how long to enter a plea. I said I plea the 5th. Asked again, I state 2 weeks. He bullicy me using my necessities and distresses, his position of power in the proceedings using undue influence states, "I'll give you 24 hrs."

Please, check the court of record.

What does it mean to anyone when a judge states he'll give you 24 hrs to do something? If not you'll go to jail.

Don Wilson used undue influence using weakness of mind, my necessities and distresses against me to induce a plea in a court of record in case no. DC-22-300 violating the general duty of care, covenant of good faith and fair dealings, my 5th Amendment and reason.

Now the STATE OF MONTANA can prosecute. Prime Face witness Don Wilson is working with the county attorney's office instead of being an impartial voice to the law.

The definition and role of a judge according to the MCA 1-2-101, in construction of a statute, the office of the judge is simply to ascertain and declare what is in terms or in substance contained therein, not to insert what has been omitted or to omit what has been inserted, where there are several provisions or particulars, such a construction is, if possible to be adopted to give effect to all.

Jury instruction #4 was changed from MCA 46-16-204. Reasonable doubt. Instruction #4 states that "The Defendant is presumed to be innocent of the charge against him. This presumption remains with him throughout every stage of the trial and during your deliberations on the verdict. It is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that the Defendant is guilty. The Defendant is not required to prove his innocence or present any evidence."

The statute in the MCA states: A Defendant in a criminal action is presumed innocent until the contrary is proved, and in case of a reasonable doubt whether the Defendant's guilt is satisfactorily shown, the Defendant must be found not guilty.

Travis Amur changed the jury instructions, there is no source cited although the judge signed off on them. The law was changed to a sales talk meant to lead the jurors down an avenue lit by a Defense that is guilty and pronounced from a voice of authority and trust.

Judge Dan Wilson signed off and presented these instructions to jurors creating a high probability of the Defense losing the case. It was done out of malice, M.C.A. definition, knowledge of facts that create a high probability of injury and deliberately proceeds to act.

Deputy County Attorney Amy Kennison questioned Officer Jon Raymond and led with a rule breaking line of questioning about resisting arrest. The charges were never filed and the line of questioning were only given to prejudice the jury. Instead of exercising the general duty of care and the canon of good faith and fair dealings Amy Kennison broke rule 403, 404(b). An objection was made and it was overruled, by Dan Wilson. The questioning and character assassination continued.

During opening arguments Amy Kennison started her speech stating I was found on the side of the road, at 3:00 am, near a single vehicle accident. I objected, Hearsay.

In fact every motion, objection, argument presented to the supposed impartial voice of the law has been overruled, stricken, denied and discounted. Never to be heard from again.

The county attorney has done the same, sitting idly by breaking the general duty of care, canon of good faith and fair dealings. Travis Aher charged the jury home alone, he sat on his hands while his co worker ran down a line of questioning that he knew was illegal and would prejudice the jury. STATE OF MONTANA'S exhibit #119 is prime fact evidence that

the line of questioning exists.

Please check the court of record.

If a neophyte, Attorney In Fact, can't object on reasonable grounds, if no one else in the court room full of people with law degrees, bar memberships, etc. will not stop to keep themselves in check, I am not just in trouble but the proceedings are only there as a soap box and it is all done to ensure a conviction, out of malice.

The county attorney suggested the Defendant is a flight risk only to have his word revoked. There is no fact to this. The Defendant was late to court several times or more but always there, usually late due to work.

The Defendant never caused or injured nor apprehension to anyone in the community. The only two conditions to revoke a person's bail.

The Petitioner has family here, the Petitioner is or was gainfully employed, the Petitioner has made it to all court hearings, past and present, the Petitioner had a surety bond paid for, the Petitioner has no victim, no property damage, nothing now but damage to his own character. There is no reason for a bond to even be issued by the courts if he is innocent until proven guilty...

On month 8 or 9 I filed a 6th Amendment violation and a hearing was held. I have constituted that I have no memories of ever driving my truck the night of 8.22.22. I believe myself to be drugged at the Don Town Bar. The bar took \$900 from me that night. Coincidence

that a felony in the STATE OF MONTANA is \$1000? I think not.

I went fishing, I had a seltzer or two. I went to the Dan Town Bar, I had two shots and remember nothing more. The judge almost approved the speedy trial violation due to the bar being closed since the incident and I was unable to find my primary witness, the bartender. The judge noticed that I had a seltzer or two while fishing and drove two miles from my fishing spot to the bar and pressed the case no. DL-22-310 to continue.

Although objections during trial concerning STATES evidence exhibit #14 it was played in its entirety. ~~No~~ Miranda warning was given at the beginning or until the very end, after a Reid Soretry test was given, failed and I was placed under arrest. MCL 46-6-107 states that the warning shall be issued at the beginning of the interview and the end. It is consistently held throughout all the proceedings that statements made before the Miranda warning are inadmissible. It was only played "in its entirety" to ensure a conviction because of incriminating statements made by me before the Reid Soretry test was given such as "I put my truck in a ditch".

The deputy county attorney further ~~stated~~ the name of CHARLES DAVID AMENT by not only running down an illegal line of questioning ~~prejudicing~~ the jury but ~~damaged~~ my character by referring to statements made on the tape that would lead the jury to believe I was incompetent, trying to coerce the crossing officer, or crazy as I tried to give advice of a gluten-free diet, supplements, a second-party

creditor status, - and the presence of clinics on our world. ref: i
www. allies of humanity.org, www. critical health news.com,
www. stop-the-protests.blogspot.com.

The Petitioner was not allowed to speak of anything of
his knowledge of the nights 8.21.22-8.22.22 due to being
pro se and reserving my 5th Amendment rights. No explanations
to the jury, nothing in the opening or closing arguments.
The only test one could establish would be to attempt to
discredit the evidence and create reasonable doubt.

Officer Don Raymond took the stand and only two or
three questions asked, "Did you physically see the Defendant
drive the vehicle?" "No." "Did you check for fingerprints
around the vehicle?" "Not complimentary to a search."
And I left with "Possibly somebody else drove the
automobile." Nothing further.

If it were not for the 5th Amendment violation on
the door-camera footage. The prejudicing of the jury by
the deputy county attorney due to every past unrelated
charges, attempting to sway the jury's minds by her closing
arguments of my state of mind, etc. By not allowing
me to speak of any sort of my own knowledge of the events
I do recall that night, the allowance by the judge to
let Amy Kunison to speak freely of them, violating my
5th Amendment by using undue influence to convict
someone to a plea in the charges brought in case no.
DL-22-310. I do not believe I would have been convicted and
this petition would not be in front of you today. Something is
wrong if the Petitioner is pressed passed the 5th Amendment to plea
and held to it to not testify during opening or closing arguments.

The Petitioner moves the courts to find that he is being held illegally in the Flathead County Detention Center located at 920 S. Main St 100, Kalispell, Republic of Montana by Chief Cooper of the Flathead County Sheriff's Office. The Judge, Don Wilson has ordered the detention on account of the recommendation of County Attorney Travis Amer.

The Petitioner sees no lawful remedy with the county due to every Petition for Habeas Corpus being denied and a form letter being issued despite the various topics covered within them.

The Petitioner is asking a mistrial be declared, bond reinstated and a new trial ordered if a dismissal with or without prejudice cannot be established or issued.

The Petitioner prays the courts find the honest and truth of the matter and let the law find what it must.

Dated this 10th day of February
In the light of the year of Our World, 2021.

By Robert Amer
ATTORNEY IN FACT
ALL RIGHTS RESERVED

Affidavit of Truth

I, Charles D. Amint, the Petitioner in the foregoing
PETITION FOR HABEAS CORPUS do attest on oath and
affirmation under penalty of perjury that it is true and
correct to my best abilities and knowledge.

Dated this 10th day of February
in the light of the year of Our World 1924.

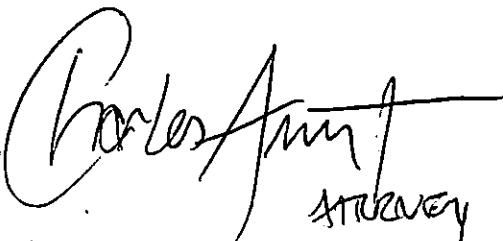
By: Charles Amint
WITHOUT RESERVE ATTORNEY IN FACT

Certificate of Service

I, Charles D. Amunt, certify that I served a true and correct copy of the foregoing Petition for HABEAS CORPUS by depositing into the US Mail on February 12, 2021, postage prepaid and addressed to the following person:

Office of the Attorney General
Justice Building, 3RD Flr
215 North Sanders
Helena, MT 59620-1401

Dated this 10th day of February
in the year of our Lord, 2021.

By: 
ATTORNEY IN FACT
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