

FILED

03/19/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 24-0171

FILED

MAR 19 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Conejo Santiago
Inmate Name
3015989
Inmate ID or AO#
Montana State Prison
Facility of Incarceration
700 Conley Lake Rd
Address of Facility
Deer Lodge, MT 59722
City State Zip

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. OP 24 - 0171
[The Clerk of Court will assign a number]

Conejo Santiago
NAME

PETITIONER,

v.

Jim Salmonsen
NAME OF WARDEN/FACILITY ADMINISTRATOR,

**Petition for Writ of
Habeas Corpus**

RESPONDENT.

I, Conejo Santiago, am representing myself, and I
[Name of Inmate]
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.

In November 14th 2014 I was charged with Arson my first public defender was trying to get me 6 years deferred so he ordered a Sych evaluation and plus the arson was my first felony offense, so the Montana State Hospital Mental health diagnosed me as Bipolar Skitzo Effective Type One disorder with 9 other

diagnoses. When they did my
PST my record with Tribal
Court popped up so insted of
the ple-deal which was
10 with 5 sussespeded the
Judge of Lake County Court
House Deborah Kim Christopher
gave me 20 years with
15 ssp followed by treatment
through Nexus. She should
have gave me an DPHHS
Sentence even though I
asked to go to MSP instead
of Nexus. Later on I did
my Post Conviction Relief
and She re-sentenced me to
10 years with 5ssp. I caught
more charges in MSP and they
sentenced me DPHHS and
sent me to Warm Springs
for a couple years and I

[Use extra pages if necessary]

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got out on parole for a year than
they locked me back up.

Anyway my first public defender got
so angry with the Lake County
Court House he quit so I
got another public defender.

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: | | |

Other relief. Explain:
I am mentally ill.

VERIFICATION

STATE OF MONTANA)
 : ss.
County of _____)

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 14 day of March, 2024.

Vaneis M. Santiago
Inmate Signature

Conejo N. Santiago
Printed Name

03/13/2024

Montana State Prison

Resident Statement

Resident Name: SANTIAGO, CONEJO

Resident ID: 3015989

Housing Location: MSP, RHU, L, D, 5, 1

Date Range:

06/26/2023 Through 03/13/2024

Beginning Account Balances:

	Personal Balance	Non-Per Balance	Debt
Court_Fees	\$0.00	\$0.00	(\$780.00)
Fac_Snctns	\$0.00	\$0.00	(\$215.29)
Rstitution	\$0.00	\$0.00	(\$83,887.36)
Trust	\$75.00	\$0.00	\$0.00
Begin Totals	\$75.00	\$0.00	(\$84,882.65)

Ending Account Balances:

	Personal Balance	Non-Per Balance	Debt
Court_Fees	\$0.00	\$0.00	(\$780.00)
Fac_Snctns	\$0.00	\$0.00	(\$240.58)
Rstitution	\$0.00	\$0.00	(\$83,305.01)
Trust	\$115.35	\$0.00	\$0.00
End Totals	\$115.35	\$0.00	(\$84,325.59)

Date	Amount	Type	Comment	Personal Bal Change	Personal Acct Balance	Non-Personal Change	Non-Personal Acct Bal	Debt Bal Change	Debt Balance
06/27/2023	(\$75.00)	Resident Withdrawal	Clear Start Accounts	(\$75.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84,882.65)
07/18/2023	\$0.00	Sale	Debit Sale	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$84,882.65)
07/27/2023	\$2,494.40	Resident Deposit	Montana State Hospital	\$1,954.00	\$1,954.00	\$540.40	\$540.40	\$540.40	(\$84,342.25)
07/31/2023	(\$415.69)	Group Withdrawal	MSP RESTITUTION JULY 2023	\$0.00	\$1,954.00	(\$415.69)	\$124.71	\$0.00	(\$84,342.25)
07/31/2023	(\$124.71)	Group Withdrawal	MSP FACILITY SANCTIONS JULY 2023	\$0.00	\$1,954.00	(\$124.71)	\$0.00	\$0.00	(\$84,342.25)
08/15/2023	(\$70.51)	Sale	Debit Sale	(\$70.51)	\$1,883.49	\$0.00	\$0.00	\$0.00	(\$84,342.25)
08/16/2023	\$500.00	Resident Deposit	Confederated Salish & Kootenai Tribes	\$391.67	\$2,275.16	\$108.33	\$108.33	\$108.33	(\$84,233.92)
08/21/2023	(\$31.72)	Sale	Debit Sale	(\$31.72)	\$2,243.44	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/22/2023	(\$71.19)	Sale	Debit Sale	(\$71.19)	\$2,172.25	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/24/2023	(\$152.50)	Sale	Debit Sale	(\$152.50)	\$2,019.75	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/24/2023	(\$229.67)	Sale	Debit Sale	(\$229.67)	\$1,790.08	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/29/2023	(\$39.91)	Sale	Debit Sale	(\$39.91)	\$1,750.17	\$0.00	\$108.33	\$0.00	(\$84,233.92)

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SANTIAGO, CONEJO

MSP

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08/30/2023	(\$18.00) Sale	Debit Sale	(\$18.00)	\$1,732.17	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/31/2023	(\$9.97) Transfer Other Funds	MSP Postage	(\$9.97)	\$1,722.20	\$0.00	\$108.33	\$0.00	(\$84,233.92)
08/31/2023	(\$83.33) Group Withdrawal	MSP AUGUST 2023	\$0.00	\$1,722.20	(\$83.33)	\$25.00	\$0.00	(\$84,233.92)
08/31/2023	(\$25.00) Group Withdrawal	MSP FACILITY SANCTIONS AUGUST 2023	\$0.00	\$1,722.20	(\$25.00)	\$0.00	\$0.00	(\$84,233.92)
09/01/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,721.57	\$0.00	\$0.00	\$0.00	(\$84,233.92)
09/05/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,720.94	\$0.00	\$0.00	\$0.00	(\$84,233.92)
09/07/2023	(\$144.00) Resident Charge	MSP Restitution 9/3/23 (sprinkler head)	\$0.00	\$1,720.94	\$0.00	\$0.00	(\$144.00)	(\$84,377.92)
09/11/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,720.31	\$0.00	\$0.00	\$0.00	(\$84,377.92)
09/11/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,719.68	\$0.00	\$0.00	\$0.00	(\$84,377.92)
09/18/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,719.05	\$0.00	\$0.00	\$0.00	(\$84,377.92)
09/18/2023	(\$25.00) Resident Charge	MSP Fine 9/12/23	\$0.00	\$1,719.05	\$0.00	\$0.00	(\$25.00)	(\$84,402.92)
10/03/2023	(\$16.95) Sale	Debit Sale	(\$16.95)	\$1,702.10	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/10/2023	(\$11.47) Sale	Debit Sale	(\$11.47)	\$1,690.63	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/16/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,690.00	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/17/2023	(\$18.41) Sale	Debit Sale	(\$18.41)	\$1,671.59	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/18/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,670.96	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/18/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,670.33	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/18/2023	(\$1.89) Transfer Other Funds	MSP Postage	(\$1.89)	\$1,668.44	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/19/2023	(\$72.00) Sale	Debit Sale	(\$72.00)	\$1,596.44	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/19/2023	(\$72.00) Sale	Debit Sale	(\$72.00)	\$1,524.44	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/24/2023	(\$13.63) Sale	Debit Sale	(\$13.63)	\$1,510.81	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/27/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,510.18	\$0.00	\$0.00	\$0.00	(\$84,402.92)
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10/30/2023	(\$1.22) Sale	Debit Sale	(\$1.22)	\$1,508.96	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/30/2023	(\$19.91) Sale	Debit Sale	(\$19.91)	\$1,489.05	\$0.00	\$0.00	\$0.00	(\$84,402.92)
10/31/2023	(\$1.26) Transfer Other Funds	MSP Postage	(\$1.26)	\$1,487.79	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/01/2023	(\$29.28) Sale	Debit Sale	(\$29.28)	\$1,458.51	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/06/2023	(\$5.04) Transfer Other Funds	MSP Postage	(\$5.04)	\$1,453.47	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/06/2023	(\$31.49) Sale	Debit Sale	(\$31.49)	\$1,421.98	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/07/2023	(\$1.26) Transfer Other Funds	MSP Postage	(\$1.26)	\$1,420.72	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/13/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,420.09	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/13/2023	(\$2.55) Transfer Other Funds	MSP Postage	(\$2.55)	\$1,417.54	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/14/2023	(\$7.01) Sale	Debit Sale	(\$7.01)	\$1,410.53	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/15/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,409.90	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/20/2023	(\$1.26) Transfer Other Funds	MSP Postage	(\$1.26)	\$1,408.64	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/20/2023	(\$1.89) Transfer Other Funds	MSP Postage	(\$1.89)	\$1,406.75	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/20/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,406.12	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/20/2023	(\$7.01) Sale	Debit Sale	(\$7.01)	\$1,399.11	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/21/2023	(\$1.26) Transfer Other Funds	MSP Postage	(\$1.26)	\$1,397.85	\$0.00	\$0.00	\$0.00	(\$84,402.92)
11/24/2023	(\$10.00) Resident Charge	MSP Fine 11/2/23	\$0.00	\$1,397.85	\$0.00	\$0.00	(\$10.00)	(\$84,412.92)
11/27/2023	(\$24.35) Sale	Debit Sale	(\$24.35)	\$1,373.50	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/05/2023	(\$32.68) Sale	Debit Sale	(\$32.68)	\$1,340.82	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,340.19	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,339.56	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,338.93	\$0.00	\$0.00	\$0.00	(\$84,412.92)
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12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,338.30	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,337.67	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/06/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,337.04	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/11/2023	(\$1.83) Transfer Other Funds	MSP Postage	(\$1.83)	\$1,335.21	\$0.00	\$0.00	\$0.00	(\$84,412.92)
12/11/2023	\$500.00 Resident Deposit	Confederated Salish & Kootenai Tribes	\$391.67	\$1,726.88	\$108.33	\$108.33	\$108.33	(\$84,304.59)
12/12/2023	(\$34.30) Sale	Debit Sale	(\$34.30)	\$1,692.58	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/14/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,691.95	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/14/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,691.32	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/14/2023	(\$1.26) Transfer Other Funds	MSP Postage	(\$1.26)	\$1,690.06	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/14/2023	(\$0.63) Transfer Other Funds	MSP Postage	(\$0.63)	\$1,689.43	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/18/2023	(\$10.95) Resident Withdrawal	Edward R. Hamilton	(\$10.95)	\$1,678.48	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/19/2023	(\$28.90) Sale	Debit Sale	(\$28.90)	\$1,649.58	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/26/2023	(\$27.96) Sale	Debit Sale	(\$27.96)	\$1,621.62	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/27/2023	(\$2.07) Transfer Other Funds	MSP Postage	(\$2.07)	\$1,619.55	\$0.00	\$108.33	\$0.00	(\$84,304.59)
12/29/2023	(\$83.33) Group Withdrawal	MSP Restitution Dec 2023	\$0.00	\$1,619.55	(\$83.33)	\$25.00	\$0.00	(\$84,304.59)
12/29/2023	(\$25.00) Group Withdrawal	MSP Facility Sanctions Dec 2023	\$0.00	\$1,619.55	(\$25.00)	\$0.00	\$0.00	(\$84,304.59)
01/02/2024	(\$33.24) Sale	Debit Sale	(\$33.24)	\$1,586.31	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/09/2024	(\$18.97) Sale	Debit Sale	(\$18.97)	\$1,567.34	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/11/2024	\$18.97 Sale	PHC	\$18.97	\$1,586.31	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/16/2024	(\$4.90) Sale	Debit Sale	(\$4.90)	\$1,581.41	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/19/2024	(\$9.95) Resident Withdrawal	Edward R. Hamilton	(\$9.95)	\$1,571.46	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/22/2024	(\$228.00) Resident Withdrawal	Silver State Post	(\$228.00)	\$1,343.46	\$0.00	\$0.00	\$0.00	(\$84,304.59)
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01/23/2024	(\$4.42) Sale	Debit Sale	(\$4.42)	\$1,339.04	\$0.00	\$0.00	\$0.00	(\$84,304.59)
01/29/2024	(\$21.00) Resident Charge	MSP Fine 1/24/24	\$0.00	\$1,339.04	\$0.00	\$0.00	(\$21.00)	(\$84,325.59)
01/30/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,338.40	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/06/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,337.76	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/06/2024	(\$4.77) Sale	Debit Sale	(\$4.77)	\$1,332.99	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/09/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,332.35	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/13/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,331.71	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/13/2024	(\$1.63) Transfer Other Funds	MSP Postage	(\$1.63)	\$1,330.08	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/14/2024	(\$0.64) Transfer Other Funds	MSP POSTATE	(\$0.64)	\$1,329.44	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/14/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,328.80	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/15/2024	\$0.02 Sale	Credit Sale	\$0.02	\$1,328.82	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/16/2024	\$0.64 Transfer Other Funds	MSP Mailroom Error Charged Twice	\$0.64	\$1,329.46	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/20/2024	(\$7.73) Sale	Debit Sale	(\$7.73)	\$1,321.73	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/23/2024	(\$4.87) Transfer Other Funds	MSP Postage	(\$4.87)	\$1,316.86	\$0.00	\$0.00	\$0.00	(\$84,325.59)
02/26/2024	(\$14.26) Sale	Debit Sale	(\$14.26)	\$1,302.60	\$0.00	\$0.00	\$0.00	(\$84,325.59)
03/05/2024	(\$1.06) Sale	Debit Sale	(\$1.06)	\$1,301.54	\$0.00	\$0.00	\$0.00	(\$84,325.59)
03/12/2024	(\$0.64) Transfer Other Funds	MSP Postage	(\$0.64)	\$1,300.90	\$0.00	\$0.00	\$0.00	(\$84,325.59)
03/12/2024	(\$19.31) Sale	Debit Sale	(\$19.31)	\$1,281.59	\$0.00	\$0.00	\$0.00	(\$84,325.59)
03/13/2024	(\$1,166.24) Phone Fund Transfers	Phone Summary	(\$1,166.24)	\$115.35	\$0.00	\$0.00	\$0.00	(\$84,325.59)

LDS

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on March 14th, 2024, 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

☐ _____ County Attorney (see *INSTRUCTIONS* #9)
[Write name of County]

Conejo N. Santiago
[Signature]

Conejo Santiago
[Print name]