

FILED

03/28/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: OP 24-0195

Zachary Ross Erwin Rush

Inmate Name

44107

Inmate ID or AO#

Gallatin County Det. Center

Facility of Incarceration

605 S. 16th Ave ~~Bozeman MT 59715~~

Address of Facility

Bozeman MT 59715

City

State

Zip

Help - I am ~~APRAID~~

IN THE SUPREME COURT OF THE STATE OF MONTANA

I ~~never~~
outs

No. _____

[The Clerk of Court will assign a number]

Zachary Ross Erwin Rush

NAME

PETITIONER,

v.

Jackie Keery/GCAC

NAME OF WARDEN/FACILITY ADMINISTRATOR,

RESPONDENT.

I, Zachary Ross Erwin Rush

[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.

PRO SE PETITION FOR HABEAS CORPUS
Montana Supreme Court (Rev. Nov. 2017)

Petition for a Writ
of
Habeas Corpus

Armsy
9/23/24
unlawful
prison
of al
Rosser

See - DU 23 - 78 - 24

FILED

MAR 28 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

☒ 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. ^{4 of 8} ^{res}

☒ The length of my sentence is longer than the law allows. ^(law changed) ^{judice}

☒ 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. ^{indigent card}

☒ Other reason incarceration is illegal. ^{\$250K}

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.

^{4/27/23 (+ new)}
Counterman v. Colorado, U.S. v. Rahimi,

Michigan v. Dorn, U.S.C. Article

IV Sec II cl II non-necessity judge

^{Peter Anderson} ^{Jason Armstrong}
Brewer, Dec AUG 3 2023 / MSC

law days 2023, No hearing DV 22-236,

DV 23-78, hearings denied speech

after Nov 16th 2023, etc. DC ²³⁻¹⁵⁰ ^{7345A}

DC 23-115 / ACR 23-136 (Re: DV 23-78)

18 U.S.C Appdx "Interstate detainer,

"C-E", ... over 120 days of trial

in receiving state. "Non-fugitive".

J. Blainch third alt. (f. Utah 7/13/23

Also note 7:22-cv-24 Rush v. McGrath p.2 of 5

3 complaints et al include Spumell

So Reversal of Exec Grant Extr. (Michigan
dr^{to} unlawfully extradited on? Facially L. Beran 1978)

Defendant APC DC-23-115?

CR 23-136 re: as to DC-23

-78/DC 23-150. Brady violations

in DC-23-115 & CR 23-136.

Brady v. Maryland. as to record
in DC 23-78 (same non neutral

Judge Peter Andrew Bruener, MT

1st Judicial District as to Hatch

Act violating Harrington MCA

transaction Rule violations, state

v. Grall, 1st, can in state as well

as 14th Amendment U.S.C. violate

excessive Bond \$250K.

ineffective assoc of counsel.

Kites, Grievances GCAC Tail &

SCCO Tail. Note 2:23-cv-56

11/15/23 Johnson Order &

Brian Morris 7/14/24 order.

Tina Campbell order 7/2/24.

2:23-402.

[Use extra pages if necessary]

p. 3 of 5

5/8

As relief, I request the following:

PR ☒ PETITION FOR HABEAS CORPUS
M ☐ a Supreme Court (Rev. Nov. 2017)

two indigent envelopes & finally received
my immediate release from prison. Fri. 4/8/24 pm

☒ 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: Exemption of 21-1843/2042/2043. BMC
21-80/87/96. BMC
Full vindication & indemnification

as shown & noted in BU 23-78.
2:23-cv-56, 2:23-cv-402, etc.

restitution. Highest lawful rate. to
(Address: Peter.)

VERIFICATION

Any and all other relief the Ct
deems appropriate
STATE OF MONTANA) ss. for "Public Justice", etc.
County of Gallatin)
US. AG Garland & Ann. Address
Gideon V. Wainwright.

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 4th day of March, 2024.

(Four) two large envelopes
obstructed to each

2:23-cv-56
2:23-cv-402
evidence & pleas
to obj.'s in N.A.'s.

Tax to Ct. take
for one copy of this
& DoJ. Complaint
4/8/2024

Zachary Ross
Inmate Signature

Zachary Ross
Printed Name

Evans Rest

two independent envelopes finally received 4/8/24 pm

CERTIFICATE OF MAILING (SERVICE)

I hereby certify that on March 28, 2024, I have ~~mailed~~ ^{offered} the ^{via} ^{letter} ³ ^{grd} ^{meas} 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 ^{Denied Pro se Legal envelopes} ^{Legal mail obstructed by @ least} ^{same) Jail staff 3 Attys)} (see INSTRUCTIONS #9)

Office of the Attorney General

P. O. Box 201401 ⁷⁰²⁸

Helena, MT 59620-1401

^{received one} ^{mailed from Ct}
^{(for) two large envelopes posted since December?} ^{off. Owens printed} ^{reference it of re: DU 23-70} ^{1 DU-23-50}
^{to each 2:23-cv-402} ^{2:23-cv-56} ^{pledging} ^(obstruction) ^{in concert} ^{with} ^{(3) From} ^{client &} ^{Att. of Private} ^{law Firm} ^{Criminal} ^{law} ^{with} ^{Peter} ^{Andy} ^{Brunner} ^{Republ-ian} ^{& Utah Moons}

✓ Gallatin
[Write name of County]

County Attorney (see INSTRUCTIONS #9)

Andrey Cronwell

Thanks to
off. take
for one
copy of

this is DOJ (ADA, etc)
complaint ~ 8:20 pm
4/8/2024

[Signature]

Zachary Ross

[Print name]

Erwin Rusk

CERTIFICATE OF SERVICE

I certify that I filed this

- ☒ Petition
☒ Motion
☐ Other

[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: *Cummins Law Company*

[Name of opposing counsel]

[Address] Bozeman, MT 59715

Counsel for

[Other party, representing himself or herself]

[Address]

DATED this 27 day of 2024, 20 March

[Signature]

[Print name]



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QCD
SLC T_q, T_c