

BRANDON LEE CRAFT
AO# 3027933
50 CROSSROADS DR.
Shelby, Mt.
59474

FILED

04/03/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 24-0180

FILED

APR - 3 2024

Bowen Greenwood
Clerk of Supreme Court
State of Montana

STATE OF MONTANA SUPREME COURT

STATE OF MONTANA,
plaintiff,

VS.

BRANDON LEE CRAFT,
defendant.

Cause # DA 24-0180

Motion for Appointment
of Counsel

Comes now Brandon Lee Craft, Pro Se, hereby respectfully moves the Court to appoint Counsel, as this appeal is a subsequent direct appeal, with "newly discovered evidence", on Motion for a New Trial, "46-16-702(1)"...in the interest of justice." M.C.A., to the Eighth Judicial District Court Cause # BDC-116-416, due to non compliance of jury selection Statute, 3-15-405, M.C.A., at the time of Craft's jury trial in 2019. These failures to not comply constitute structural error, which is "presumptively prejudicial and automatically reversible." State V. Hardy, 2023 MT 110, 57,412 Mont. 383,530 P.3d 814."...if counsel does not have knowledge, or means of knowledge, of the irregularity in the drawing of the jury or the panel from which it is selected until after the verdict, the question may be raised for the

cont. - first time on a Motion for a New Trial."

Dvorak V. Huntley Project Irrigation District, 196 Mont. 167, 171-72, 639 P.2d 62, 64 (1981). Counsel for Craft... "did not have knowledge, or means of knowledge, of the irregularity in the drawing of the jury or the panel..." at the time of Craft's trial and direct appeal. Counsel now, would be appropriate on this subsequent direct appeal, on Cause # BDC-116-416, out of the Eighth Judicial District Court, Cascade, County.

Pro se filing by Brandon Lee Craft 3-29-24

 3-29-24

— CERTIFICATE OF SERVICE —

Documents sent by U.S. MAIL to the following:

① Clerk of The Supreme Court, State of Montana
P.O. Box 203003

Helena, Mt.; 59620-3003

② Montana Attorney General
P.O. Box 201401

Helena, Mt.; 59620-1401

③ Cascade County County Attorney
121 4th St. Nth, Suite 2A
Great Falls, Mt.; 59401

CC. - FILE