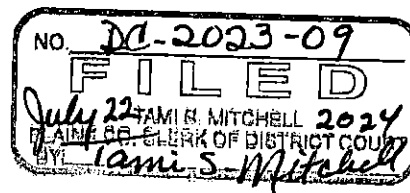


07/22/2024

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 24-0001

Rufus I. Peace
Peace Law Group, LLC
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Attorney for Defendant

IN THE MONTANA SEVENTEENTH JUDICIAL DISTRICT COURT,
BLAINE COUNTY

STATE OF MONTANA,
Plaintiff,

vs.

JEREMY GORDON ERTEL,
Defendant.

Cause No. DC-2023-09

RENEWED MOTION FOR RECUSAL

COMES NOW, Defendant Jerney Ertel, by and through counsel and respectfully moves the Court to consider recusal in this matter because there exists reason for the Defendant to reasonably question if the Court can remain impartial in this matter. This Motion is supported by the accompanying Affidavit of Jeremy Ertle.

A motion on this subject was previously denied by the Montana Supreme Court because the original motion was not supported by an affidavit, that error has now been corrected and the Defendant renews his request for the Court to consider recusal.

Montana's Code of Judicial Conduct Rule 2.12 requires that a judge disqualify herself "in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances: (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding."

The Defendant has alleged that on multiple occasions the daughter of the Hon. Yvonne Laird stayed overnight at the Defendant's house, as a guest of Defendant's daughter. Defendant further alleges, the frequency and extent of these overnight stays are uncertain but occurred on at least four occasions, and on three occasions the Defendant was present at the time. Given the nature of the

allegations against the Defendant, it raises concerns that there could exist a personal bias against the Defendant.

Defendant is alleged to have hidden a camera in the bathroom of his home to secretly record those who made use of the shower. Making anyone who stayed at the home or used the shower a potential victim for the entirety of the period the recording system was in use.

While there is no evidence in the record or otherwise known showing that the Hon. Yvonne Laird's daughter was a victim of Defendant's alleged actions, no reasonable person could be expected to remain impartial if such a circumstance came to light. Additionally, the mere possibility that this circumstance could exist calls into question the Court's ability to remain impartial.

Accordingly, the Defendant respectfully asks the Hon. Yvonne Laird to consider if recusal is proper and required in this matter.

Respectfully submitted this 22nd day of July, 2024.

Peace Law Group, LLC



Rufus I. Peace

Attorney for Defendant

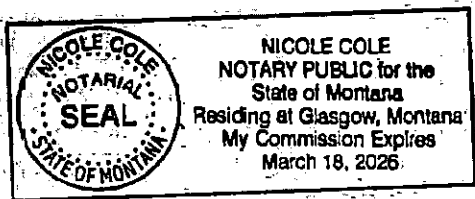
Attorney for Defendant

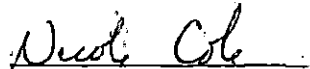
STATE OF MONTANA, Plaintiff, vs. JEREMY GORDON ERTEL, Defendant.	Cause No. DC-2023-09 AFFIDAVIT IN SUPPORT OF RENEWED MOTION FOR RECUSAL
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5. The total number of times that Judge Laird's daughter stayed overnight is unknown to me, but it was at least four occasions.
6. On at least three occasions, I was home when Judge Laird's daughter stayed overnight.
7. It is my belief that this could bias Judge Laird against me, or perhaps provide reason for Judge Laird to have a personal bias or interest in my case.
8. I have asked my counsel to seek her recusal and believe it is in my best interest to do so.


Jeremy Gordon Ertel

SUBSCRIBED AND SWORN TO before me this 12 day of July, 2024 by Jeremey Gordon Ertel.




Notary Public for the State of Montana