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Case Number: DA 24-0270

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

Brad Richardson  
PO Box 4701  
Helena Montana 59604  
(406) 310-9397  
Pro Se Respondent Appellant  
4bradrichardson@gmail.com



ORIGINAL

## IN THE SUPREME COURT OF MONTANA

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BRAD RAE RICHARDSON )

Appellant, )

-VS- )

MAKAYLA MASSE )

Appellee, )

DA 24-0270

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### RESPONSE TO APPELLE'S BRIEF

I am Pro Se mostly because if I had to pay to fight Makayla (MM) it would probably cost me millions of dollars.

She has caused so much confusion and so many issues it would take five attorneys to try to sort through it.

Back in 2018 after Officer Ryan charged MM with theft where I was the victim, he told me "Stay away from her" (sic).

Obviously, I did not heed his warning. I have never raped anyone. Nor have I ever been accused of rape before MM. Never fathomed being accused of rape. Like most men [it can't happen to me]. I thought. I have been through some rough break

ups but I never feared any partner or EX partner having so little decency, the complete absence of any integrity whatsoever.

Its why rule 404 and 404(b) is so important in this case. MM is not an individual that made an honest mistake, an individual with a temporary lapse of judgement an individual who is generally good but carried out some bad acts. **Or an**

**individual with a memory problem.**

She is an individual who harbors deep bad intention(s). She is a psychopath in the clinical sense while I may not be qualified to make that description I can testify to her lies. She wants to hurt people for the pleasure of hurting people i.e. she wears a mask.

I afford her no bias otherwise however the police, the Courts etc. have. Habitually.

The State has afforded her victim status when she is not a victim. She is a victimizer. Machiavellian, narcissistic and a liar.

Every person will encounter a psychopath in their life time, it's how they deal with it that is different for every person. I got her pregnant.

The assaults, the extortion, thefts, the false accusations are part of a common scheme, intentional, it's **how** she operates. It will never change. I, at this point maintain as much distance as possible from her. And in order to identify her as the

actor in these bad faith cases we can look at her consistent behavior. Lying to the police.

Back in 2018 she wanted me to rob the convenience store between Helena and Missoula offering me to get a gun "I can get one" (sic). She offered to sell me a shotgun during the time she had an order of protection against her from Derek Smith. She hides Daniel Deming's firearms knowing he is on parole. My five-year-old tells me about it. MM has repeatedly stated in the Affidavits that she believes that "brad has guns".

Section 28. · Criminal justice policy -- rights of the convicted. (1) Laws for the punishment of crime shall be founded on the principles of prevention, reformation, public safety, and restitution for victims.

(2) Full rights are restored by termination of state supervision for any offense against the state.

Obviously, I'm not going to rob a convenience store armed or otherwise.

The Court has willfully refused to remove her mask to see how she really is outside the presence of the court. How she operates. It is willful and an abuse of its discretion. The Court has been deliberately indifferent to the facts.

It was not only pre august 2020 events the Court refused to hear but events immediately preceding the emails where I warned her attorney about further physical aggression from MM.

Her constant invitations into her home(s). Her constant threats, the Court simply refuses to hear anything but the narrative it decided to adhere to. A narrative that is not based in fact.

From November 2018 to present it is in fact the most consistent reality. The Courts bad acts.

The reality of what I am dealing with here.

How can this Court make a ruling where everything prior to the emails is effectively deleted. That's what MM wants and her attorney. Unfortunately, the District Court has went that way as well.

No reasonable person engages in acts such as MM then becomes aggressive at a child exchange while yanking the child out of my vehicle to make him cry then goes and files for an order of protection. No reasonable person does that.

And

The big picture here. The police, the state and I'll concede to a lesser degree the Court have manifested a desire to eliminate Logan. Before his birth after his birth, he has been selected for abuse. By the drug dealers, the police the Courts.

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There is not a single Male that MM has a good history with None. Not one.

She didn't falsely accuse any drug dealers of rape, only me. The only person she knew at that time not on meth.

The history and culture of the United States does not favor cowards. That's exactly what MM is a coward. She became pregnant and instead of dealing with the truth responsibly she walked into the L&C Sheriff's department high on meth and took Greg Homulund on a ride to the woods (literally) and pointed randomly at places where she claimed to have been raped and impregnated. Places I had never been and/or never had sex with her.

Instead of going to Court at the protection order hearing and stating that she was behaving aggressively and yanked Logan out of the Jeep making him cry she sat silent and watched her free attorney and the Court beat up on me.

Instead of testifying truthfully at the Parenting Plan Hearing about Daniel Demming possessing a knife at the incident that I was arrested for (on judge Abbot's warrant) she lied.

She is a coward; she is a liar. Cowards and liars don't need Protection Orders they need punishment.

At the hearing that MM and her attorney keep referring the one in October 2023 MM certified under penalty of perjury that all the statements she made to Greg Homulund and Niel Marks in 2018 were true. She certified those statements to be true then at the parenting plan hearing she testified in response to my question that the night she became pregnant that I picked her up at the rink. The skating rink.

They referred to acts before august 2020. They accuse me of "attempting to relitigate past events" however in fact its they that committed perjury in October 2023 in order to get an order of protection. They filed for the order with the same docket number as the parenting plan case. The judges order states neither party should introduce evidence of events that happened before august 2020.

They violated that order with perjury.

The statement she gave Greg Homulund is directly and irrevocably inconsistent with her in part truthful testimony at the recent parenting plan hearing.

Mischell presents an illusion to the Court that they benevolently dropped the application for an order of protection in favor of a civil no contact order. An order MM violated constantly getting into my jeep at exchanges and having hour long conversations. Calling me repeatedly telling me how she intended to lie about

Derek Smith witnessing her assaulting me. Derek did in fact subsequently lie at the hearing about that assault. I can prove that with an audio recording in 2019 he gave to my attorney.

Planned and intentional perjury. Basically, she attempts to diffuse responsibility of the arrest that occurred based on her false accusations on the police.

“I just told them what happened, and they called it rape”. Implying that it was the police not her who caused the arrest.

In the transcripts of those interviews (that she in October 2023 certified) she tells the police “He will run”. And giving them an accurate description down to the stickers on my vehicle in order to help them affect an arrest.

She makes derogatory character references about me associated with events that simply never occurred also in that transcript. I have possession of all the transcripts.

With that said I don't have any plans or bad intent toward her, I do everything I can to maintain distance from her a fact the Court refused to appreciate. And I hope this Court will dismiss the Order of Protection or at minimum remand it for another hearing.

*A paradox is a logically self-contradictory statement or a statement that runs contrary to one's expectation. It is a statement that, despite apparently valid*

*reasoning from true or apparently true premises, leads to a seemingly self-contradictory or a logically unacceptable conclusion. -Wikipedia*

To solve a paradox, you have to remove one of two assumptions.

Maybe Mischelle believes my first attorney should get an order of protection? Who else? Maybe everyone who has stolen from me is in danger?

My hostilities for attorneys come from two facts:

1. The US has more attorneys per capita by orders of magnitude even the UK the nearest competitor does not come close. The US has more “single parent” homes than any other nation by orders of magnitude. Mischelle and MM are a case in point. Not even going to mention interest rates or average home prices.
2. When I was 17, I was charged with writing hot checks over a year after they were written, I had no knowledge of them prior to being charged. I believe the meth addict neighbors I had at the time stole my checks and wrote them. I explained that to my attorney. He said there was “nothing he could do sit in jail for trial or pled guilty”. I pled guilty to something I had nothing to do with to gain my freedom. He did not subpoena receipts from Wal mart, the



security video etc. he did nothing. He was the enemy. At 17 I did not realize that.

Mischelle has been hostile, antagonistic and acted directly against the interests of my child.

My final point

50 years ago, a man going to pick up his child from the mother and her paroled drug dealer BF and an altercation ensuing would have resulted in one thing and only one thing, a presumption against the mother and BF. Not the father. Judge Roe also abused the Court in granting an order of protection to DD.

MM says she is afraid of me. Not too afraid to lie about me to the police and courts.

*"If an injury has to be done to a man it should be so severe that his vengeance need not be feared."* - Niccolo Machiavelli

MM is afraid because she attempted to genocide me and failed somewhat. She went to the deposition expecting to go in sit down cry a little and say "he raped me" walk out go about her life and I would die in prison. Fabricate whatever reality she wanted for Logan. I know this because her mother took her, they had to pause the deposition for her to go outside the Court House and tell her mother that "it going to take a little longer than I thought". She then fabricated new accusations

to compensate for her inconsistencies. She obviously thought about how to fix some of them based on her quick answers to my attorneys' questions.

In her meth addled mind, she actually believed I would lay down and die.

I have tried over the years to "put it in the past" however she wants a final solution.

Total War ending in my death. It's the only escape in her mind.

Had the state charged her as it should and is done in all other states and in Europe that may have dissuaded her from sending DD out armed with a knife to confront me.

It may have kept Mischelle from violating

(14) Lawyers play a vital role in the preservation of society. The fulfillment of this role requires an understanding by lawyers of their relationship to our legal system.

All lawyers understand that, as officers of the court, they have a duty to be truthful, which engenders trust in both the profession and the rule of law. The Rules of Professional Conduct, when properly applied, serve to define that relationship.

Trust in the integrity of the system and those who operate it is a basic necessity of the rule of law; accordingly, **truthfulness must be the hallmark** of the legal profession, and the stock-in-trade of all lawyers.

However, the state doubled down on its attacks at me. I should also point out I declined a lesser charge in the felony assault case. I demanded a trial on the single

felony assault with a deadly weapon charge. It was dismissed. Against my “attorneys” advice.

I knew that not only did the opposition not have the facts that a jury would not see a man going to pick up his child (Rule 406) and being confronted by a paroled drug dealer and his non-convicted drug dealer wife as something they could sympathize with the state on.

Had I known more about life when I was 17, I would not be a felon. I care very much about Logan and his fate. I intend to see him surpass the assaults that have been committed against him. I don’t care who the aggressors are. Drug dealers, the state, attorneys or his own mother.

Rule 404(b)

(b) Other crimes, wrongs, acts. Evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

I have attempted to introduce evidence at the hearing that was intended to used in conformance with the above law and is consistent with case law.

State V. Blaz

Makayla in the October 2023 OP hearing filed a sworn statement that attempted to diffuse responsibility for the false arrest. (lack of mistake) (identity) She attempted to blame the police.

Makayla has a pattern of physically attacking Males (motive).

Myself

Derek Smith

Greg Ireland

The Court also refused to make a finding of fact in the parenting plan case that Logan is a male.

Makayla has a pattern of lying that is extensive and has a long-established history (modus operandi)

False rape reports

Lying to the police about DD possession of a knife

Lying to Logan claiming that he is “the product of sexual assault”

Lying to Derek about her meth use

Lying to the court about her last instance of using meth in the 2024 parenting plan hearing.

The omission of certain facts and false assertion of others she has a well-practiced methodology of lying. Using partial truths mixed with intentional lies in order to gain something.

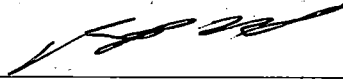
It was my assertion to the Court that MM's application for an order of protection served another purpose than for her immediate safety.

While there was no written motion to include the evidence the hearing was before a judge not a jury. The Court abused its discursion in denying the evidence and prejudiced my defense in doing so.

Specifically, the absence of a mistake in her crafted lies and perjury.

Also, the Court(s) has a history of doing this in association with this woman and is in it self a bad act.

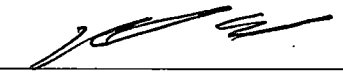
Sincerely,

  
Brad Richardson  
Pro Se Appellant, Respondent

### **CERTIFICATE OF SERVICE**

I certify that I have filed this **Reply** with the Clerk of the Montana Supreme Court; and that I have mailed a copy to the Attorney for Makayla Masse on 7/29/2024 as follows:

Mischelle Vanisko  
1 N. Last Chance Gulch, Suite 1  
Helena, Montana 59601

  
Brad Richardson  
Pro Se Appellant, Respondent

Contains 2650 words counted by Microsoft Word.