

ORIGINAL

FILED

04/03/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 25-0244

Michael A. Buck

Inmate Name

26520

Inmate ID or AO#

Lake County Detention

Facility of Incarceration

106 4th Ave East

Address of Facility

Polson, MT 59860

City

State

Zip

FILED

APR - 3 2025

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

No. OP 25-0244

[The Clerk of Court will assign a number]

Michael A. Buck

NAME

**PETITIONER,**

v.

Sheriff Don Bell

NAME OF WARDEN/FACILITY ADMINISTRATOR,

**Petition for a Writ  
of  
Habeas Corpus**

**RESPONDENT.**

I, Michael A. Buck, 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:

Cause No. DC-24-35

[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.

- Lake County Prosecutor Filed an Informaton  
on February 28, 2024 on DC24-35, out of  
the Confederated Salish & Kootnai Tribal Court.
- On February 22, 2024 CS&K Tribal officer  
Desmond Joseph arrested the Petitioner for  
1. Warrant of Arrest 2. DUI stop  
3. Breath analyzer at 16:33.  
4. Advising Tribal Officer Isaiah A sencio IO 3  
5. Witness Name Dylan Caye
- Petitioner (Tribal Member 008972) was  
Processed into CS&K Tribal Jail Feb. 22, 2024.
- On Febudry 26, 2024 Petitioner was released (4dys).  
on own recognacense w/follow up court dates.

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Petitioner recites Constitutional doubt canon. The Doctrine that a statute should be interpreted in a way that avoids placing its constitutionality in doubt.

On February 28, 2024 District Attorney Brendan McQuillan was in violation of Conflict of Personal Laws, when he used his Office in a unethical filing of Information, with in Reservation boundaries out of a Federal-Tribal Court. (Official Misconduct).

- \* Preventing CS&K Tribes of being self governing
- Petitioner brings forth my Right to a fast & Speedy Trial, that also was neglected by Judge Molly Owen, District Prosecutor Brendan McQuillan & Judge Danni Coffman

incarcerated 2-22-2024 Date of Citations (Tribal)

Letke Co. 3-30-2025 Date of Writ of Habeas.

[Use extra pages if necessary]

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Due to separation of Governments in Lake County & the CS & K Tribes, Jurisdictional history and justifiable expectations, allowed both Governments to become lax with Tribal and County red tape arrests & Prosecution.

- MT is a Sub-Government of the U.S.
- Lake County is a sub government of MT.
- Dist. Atty's are a sub officizl of Lake Co.

★ The Salish & Kootnai Government is Sovereign and not a sub government of MT and not in the circle of information sharing.

★ The Tribes does not take citations out of the Lake County Government

★ The Lake County Government steals citations out of the Tribal Government.  
1. There is no Amendment in the MT-State Constitution or the Tribal Constitution.

[Use extra pages if necessary]

NO Give & Take.

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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:

DISMISSAL OF Lake Co. cause No. DC-24-35  
I am a Tribal member being  
incarcerated twice, unethically  
prosecuted with in Reservation Land.

VERIFICATION

STATE OF MONTANA )  
County of Lake ) ss.

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 30 day of March, 2025.

Michael A. Buck  
Inmate Signature

Michael A. Buck  
Printed Name

**CERTIFICATE OF MAILING (SERVICE)**

I hereby certify that on March 30, 2025, 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

Lake County Attorney (see INSTRUCTIONS #9)  
[Write name of County]

Brendan McQuillan

106 4th Ave E

Polson, MT 59864

Michael A. Buck  
[Signature]

Michael A. Buck  
[Print name]