

FILED

04/07/2025

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: OP 25-0257

Ricky Scott Riebe **ORIGINAL**

Inmate Name

N/A

Inmate ID or AO#

Lake County Detention

Facility of Incarceration

106 4th Ave E

Address of Facility

Polson, MT 59860

City

State

Zip

FILED

APR - 7 2025

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

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

No. OP 25-0257  
[The Clerk of Court will assign a number]

Ricky Scott Riebe,  
**NAME**

**PETITIONER,**

**v.**

Sheriff Don Bell,  
**NAME OF WARDEN/FACILITY ADMINISTRATOR,**

**Petition for a Writ  
of  
Habeas Corpus**

**RESPONDENT.**

I, Ricky Scott Riebe, 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:

[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.

DC-21-256 began as a Legal traffic stop on 8-7-21,  
at 247Am by Confederated Salish & Kootenai  
Tribal Officer Will Mesteth, (Video Included)  
The arrival of second Tribal Officer  
soon escalated into both officers viola-  
ting my MT Constitutional Rights Article II  
section 11. Search & seizures, (Read 5pg, Civil)  
U.S. Amendment IV,  
The actions committed by both Tribal  
Officers are Both Criminal, and creates  
a conflict of Personal Laws, that's in  
violation of the Memorandum Agreement.  
Read Attached Memorandum, 9 page.  
• Both Tribal Officers lost their Qualified Immunity,

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In the overall scheme of grounds, the presumption of malice is seen, heard and physically felt by Petitioner, created by CS&K Tribal Officers on 8-7-2021.

- On September 14, 2021, seven days past MCA 46-11-203, time for filing is 30 days.
- Illegal arrest (kidnapping) Tribal Government.

DC-21-256 Information & Leave to file attached  
DC-24-88 Felony Bail Jumping was filed on May 6, 2024  
Petitioner failed to appear on March 6, 2022.

Lake County Prosecutor James Lapotka filed 2 yrs  
1 month & 1 day past statute of Limitations.  
MCA 2023 read (the time to file in the Proper District  
court) in terms of a Felony charge.

- First DC-21-256 is illegal (video + Civil + Documents).
- Second, DA James Lapotka Filed in the use of his Official Power of being vindictive with the use of his feelings & emotions.
- DC-24-88 is also requested to be dismissed, (Falsus in Uno doctrine).

[Use extra pages if necessary]

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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:

exonerate DC-21-256, exonerate  
DC-24-88 both out of time stipulation  
& illegal Jurisdictional Due Process  
violations by both Tribal & Lake County.  
Bailiwick Law (2005) Before the fact

#### 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 4 day of April, 2025.

Ricky Scott Riebe  
Inmate Signature

Ricky Scott Riebe  
Printed Name

**CERTIFICATE OF MAILING (SERVICE)**

I hereby certify that on April 4, 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]

James Lapotka

106 4th Ave East

Polson, MT 59860

Ricky Scott Riebe  
[Signature]

Ricky Scott Riebe  
[Print name]