To: Clerk of Court U.S. Court of appeals 9th circuit
From: Dale Michael Hanson

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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS
AUG 05 2003
FILED
DOCKETED 8/6/03
DATE INITIAL

case # 02-35795 July 30, 2003

Clerk,

I am writing this to the court as a formal objection to the ineffective assistance of my current counsel, Michael Donahoe, and all previous counsel involved in this case. I have repeatedly insisted that Mr. Donahoe argue to the courts my substantive 6th amendment effective assistance of counsel claims to which he has refused to do so repeatedly. He tried to get me to sign a waiver form that would prevent me from ever bringing the ineffective assistance claims in any future Habeas corpus proceedings, to which I adamantly refused to sign. He has thereby abridged my right to due process and denied me equal fair access to the habeas proceedings to pursue and present my habeas claims fairly to the Courts.

In the recent Courts denial of my habeas corpus (July 18, 2003) on page 9875 it states: We may grant a request for a COA on any issue if the petitioner makes a "substantial showing of the denial of a constitutional right" that is, if a petitioner shows "that reasonable jurists could debate whether the petition should have been resolved in a different manner, or that the issues presented were adequate to deserve encouragement to proceed further".

On page 9876 footnote #4 it states: Because Hanson has not challenged the scope of the COA issued, we do not consider whether a COA might issue on his other claims for relief."

Mr. Donahoe has failed to challenge the scope of the COA issued so the court could possibly issue it on the ineffective assistance of trial counsel for failure to call my witnesses at the trial or present material evidence that would help prove my innocence. i.e. tape recorded evidence and affidavits not presented by my trial attorney, direct appellate attorney,

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or Mr. Sheehy on petition, or Mr. Donahoe on habeas corpus.

On page 9879 it states: "Procedural default is excused if the prisoner can demonstrate cause for the default and actual prejudice as a result of the alleged violation of federal law or demonstrate that failure to consider the claims will result in a fundamental miscarriage of justice." Hanson does not allege that failure to consider his claim will result in a fundamental miscarriage of justice.

I Dale Hanson do hereby allege that failure to consider my substantive ineffective assistance of counsel claims will definitely result in a fundamental miscarriage of justice if not considered.

The courts opinion also states that no claim for relief based on Sheehy's involvement in the case is before us and we do not say that any additional arguments that Sheehy might have raised regarding Hanson's Counsel on direct appeal would have excused the failure to raise Hanson's claims on Direct appeal.

Mr. Donahoe has still not stated a claim for relief based on Sheehy's involvement in the case regarding my counsel on Direct appeal that would excuse the failure to raise my claims on Direct appeal even though she asked and the court stated it in the opinion.

I have repeatedly tried to get the courts attention numerous times but to no avail. So I will be very blunt and to the point. I have been locked up for 8 years for a crime I'm no more guilty of than God himself or you are. This entire phony mess is one big lie made up by Flathead County and Emi Gregg to keep from being sued for libel and slander by me. They cannot make it true no matter what anyone says or does. The truth is the truth and that's all it needs to be. If the courts are not going to do something

about this injustice, this state will either be keeping me locked up here in their dungeons for the rest of my life for a crime I did not commit or they will eventually have to kill me in order to get away with this crime of theirs they have committed, scot free. I did nothing wrong in any way to deserve this and they know it. If given the chance I could prove it. That is why they have eliminated important testimony of both Eric and Aaron's from the record that would have helped with the appeals and inserted numerous other false scenerios that were not even presented at the trial. I have plenty of witnesses who were present at the trial to prove it and numerous affidavits written by witnesses that I've repeatedly tried to present to the courts but again to no avail.

My mail is constantly being censored here by the prison staff to keep me from getting any help for this injustice.

The petition for rehearing is deficient for all the above stated reasons and I'm asking the court to intervene and do something about this to prevent a fundamental miscarriage of justice. It would be greatly appreciated if you would please send me a copy of the docket sheet to see if my last motion to the court was recieved and if any new developments have recently occured that I've not been informed of. It will also serve as a confirmation that this reached you.

Thank you for your time and patience in helping me.

Sincerely,

Dale Hanson #37712
700 Conley Lake Rd.
Deer Lodge, MT 59722

Dale Hansen #37112
700 Conley Lake Rd.
Deer Lodge, MT.
59722

Montana State Prison
Montana

DEER LODGE
JUL 31 '03
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Legal Mail

Clerk, U.S. Court of Appeals
For the Ninth Circuit
P.O. Box 193939
San Francisco, California

94119-3939

94119#3939

TO: Clerk, U.S. Court of appeals for the 9th Circuit
FROM: Dale Hanson

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U.S. COURT OF APPEALS

Case # 02-35795

SEP 17 2003

Sept. 11, 2003

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Clerk,

I recieved the courts recent order of Sept 4th 2003 ordering Mr Donahoe to file a response to my letter on July 30th 2003, within 14 days. Today, Sept 11th 2003 I recieved Mr Donahoe's response to that order, under the penalty of perjury.

Mr Donahoe has committed perjury in his response to this court on page 2 #3, which he falsely states: "In light of the Magistrate judge's August 29th directive the undersigned consulted with petitioner. During these consultations the undersigned expressed the opinion that any of the "potential" IAC claims that petitioner might bring (including the one contained in petitioner's pro se petition already on file) were not worth pursuing". — Mr Donahoe never consulted with me whatsoever on what issues he decided to present to the U.S. District court on November 1, 2000 and December 20th 2000. I had no idea what he was going to do until after he did it. This is a blatant lie and perjury to the court that he stated he consulted me concerning the issues to be presented. As with all the attorneys on this case, I've had no say in what or how it was presented to the courts. It is obvious that every attorney that has been on this case has been doing whatever is necessary to default and help the corrupt thugs of Flathead County get away with this injustice in order to keep this phony so called justice system from being exposed publicly and held accountable for this crime of theirs. Since I have been locked up for over 8 years for this phony mess, there has been

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nothing I can do about it However, my family and friends are currently sending all the important information about this injustice to numerous news media sources and watch dog agencies accross the country in an effort to get the public's attention on what has been maliciously done to me by the corrupt thugs of this phony so called justice system. A copy of the affidavits, polygraphs, taped evidence, etc. are also being sent to the President of the U.S. George W. Bush to see if he will have the moral and ethical integrity to intervene. The Montana Attorney General, Mike McGrath also recieved copies of all of it and letters explaining this mess last month. So he knows too. - If this court fails to intervene in this injustice and the media or the President refuses to do anything, then I will have no choice but to resign myself to accepting the fact that I will be locked up for the rest of my life until they kill me for a crime I did not even commit. This phony mess is not just going away because everyone refuses to see that justice is done. There will never be a productive place in society for me ever again as long as these crooked corrupt Nazi Bastards of Flathead County are allowed to get away with this crime of theirs against me. If I ever do get the chance at my freedom and they are still allowed to get away with this crime of theirs scot free, I will hunt down as many of the crooked corrupt Nazi Bastards of Flathead County that are responsible for orchestrating this phony mess as I can get to before they put me in a body bag. I did nothing wrong to deserve this in any way and as long as I'm still alive on this earth, they will all pay for this crime of theirs one way or another unless they kill me or

unless someone with the authority has the moral and ethical integrity to intervene. I could have been out of here over three years ago if I would have been willing to admit guilt to this phony mess after the Montana Supreme Court's sentence review board suspended half the sentence in 1998, changing the discharge date to July 2000. The parole Board even tried to get me on Parole in Nov. 2000 so the habeas corpus would become moot. But some people do the right thing for no other reason than its the right thing to do. And doing the right thing usually means doing the hardest thing. There seems to be nothing for me to do at this point but wait to see if this court or someone with some integrity will do something about this injustice.

I Dale Hanson do hereby ask this court to impose sanctions on Mr. Donahoe for perjury and intervene in this case to prevent a miscarriage of justice from being done any further.

Thank you for your time.

Sincerely,

Dale Hanson #37712
700 Conley Lake Road
Deer Lodge, Montana
59722

TO: U.S. Court of Appeals for the Ninth Circuit

FILED
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

From: Dale Hanson

Case # 02-35795

OCT 30 2003

October 26, 2003

FILED
DOCKETED 11/5/3 RP
DATE INITIAL

Enclosed is a copy of the order issued by the U.S. District Court in Missoula, Montana, that I recieved on October 15th 2003.

On September 11th 2003 I sent this court a letter stating that Mr Donahoe has committed perjury to this court in his response to this courts September 4th 2003 order and asked this court to impose sanctions for his perjury and ineffective assistance of counsel.

On September 21st 2003 I wrote to the U.S. District court in Missoula, Montana explaining all this to that court and also asked them to impose sanctions on Mr. Donahoe for perjury. I also sent this court a copy of that letter. A copy of that courts order is enclosed with this letter.

On September 29, 2003 I wrote to this court, the U.S. District Court, Mr Donahoe, and Mike McGrath the attorney general, informing everyone that Mr. Donahoe has been terminated as counsel in representing me on this case due to his ineffective assistance of counsel and for committing perjury to this court. I also asked this court to issue an order directing Mr Donahoe to send my complete file to a friend in the Flathead so I can proceed Pro Se. In that letter I asked for a current copy of the docket so I could see what papers have been filed that I have not been informed of. On the last docket sheet I recieved (Sept 10, 2003) there were several documents that were not listed at all. Can you please tell me why and include them all in a complete one for me so I will be informed of what is happening with my case? Your attention to these matters would be greatly appreciated.

I have suffered from severe mental anguish, emotional distress, humiliation and embarrassment, denial of reputation and a loss of earnings because of what the crooked corrupt thugs and thieves of Flathead County and this state have maliciously done to me.

All of my family and friends have stood by me faithfully throughout this phony mess to this very day because they all know I've done nothing wrong in any way to deserve this and they all realize that they themselves could become this crooked corrupt so called justice systems next victims just as easily as I have. After what we have all been through with this corrupt phony so called justice system, we full well understand now why the rest of the world Hates America and why there is so much hate and discontent in this country. And it's not because they hate the American people so much as it is they hate the greed and corruption of this so called justice system that doesn't give a damn about the truth justice or peoples constitutional rights to due process any more than Hitler or Osama Bin Laden and his terrorists. These crooked corrupt Nazi Bastards of Flathead County and the state of Montana are worse than terrorists because they are all hiding behind the perfect cloak of truth liberty and justice for all when they could care less. The Constitution means less to them than toilet paper. They are all about ripping off as many innocent people and their families for as much $ as possible and fleecing the general public for big big bucks and they have been getting away with it simply because there is no one to stop them. Their greed and corruption is running rampant, destroying the social fabric of our society.

They have been operating in their lawless laybrinths of power unchecked for so long that they can no longer tell right from wrong or justice

from injustice and as a whole they grow more and more corrupt.

There is so much about this injustice that the federal courts don't even know about because of the greed, corruption and the power of the state to make up whatever they feel necessary or omit to help them get away with their crimes against innocent people in order to keep from being exposed publicly and held accountable for their actions.

At trial, a defendant has a constitutional right to present witnesses and evidence that could aid him in his defense or prove his innocence. It is simply unfair to require a defendant to defend against prejudicial accusations while being denied the ability to present testimony from witnesses that would assist him in contradicting those accusations. Yet I have been denied these basic fundamental Constitutional Rights to due process from the very beginning of this phony mess to this very day. Yet what can an indigent innocent person do about what's been done when the entire system works against him to get away with their crimes? This is more than just about me. It is about <u>all</u> American citizens in this country and our constitutional rights being denied and violated by corrupt thugs and thieves who have been entrusted with sacred power by the public.

Compromising the truth no matter how trivial, does something to all of us. Establishing a pattern wherein dishonesty is accepted as a normal way of life from this so called justice system is not an option. Government exists for the peoples convenience, not the other way around. I have been locked up for over 8 years for a crime I did not commit and unless someone with the authority intervenes, they will eventually have to execute me in order to get away with this crime of theirs against me no matter how long it takes.

I guarantee you that on my mothers and fathers graves.

I have asked this court to impose sanctions on Mr. Donahoe for perjury and his ineffective assistance of counsel and to intervene. I still have not heard anything from this court at all since. The U.S. District Court promptly addressed my letters to them concerning all this but they do not have jurisdiction at this point. It would be greatly appreciated if you would please send me a copy of the docket sheet to the current date so I can see if any new documents have been filed that I'm not aware of and to let me know if my letters are even being recieved by this court.

Thank you for your time and patience in helping me.

Sincerely,

Dale Hanson #37712
700 Conley Lake Road
Deer Lodge, Montana
59722

TO: Clerk, U.S. Court of Appeals For the 9th Circuit
From: Dale Hanson
Case # 02-35795

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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS
JAN - 5 2004
FILED
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January 2, 2004

Clerk of Court,

My case is currently before this court pending a decision on the petition for rehearing submitted on 7-29-03, to which I still have heard nothing about. (Docket #47)

I terminated counsel on Sept 29, 03 for his perjury to this court in his response to the courts order of Sept. 4, 03, (Docket #50) and for his ineffective assistance of counsel. Which I also have not heard anything from the court or counsel. Not even a response that my letters were recieved.

I would like to request a current copy of the Court Rules for the Rules of The Judicial Council Governing Complaints of Judicial Misconduct or Disability. I would also request a copy of the Supplement Guidelines for the Administration of The Criminal Justice Act and Guide to Judiciary Policies and Procedures.

A copy of the docket sheet to the current date on my case would also let me know if any new documents have been filed that I'm not aware of. Your attention to these matters as soon as possible would be greatly appreciated.

Thank You! for your time and patience in helping me.

Sincerely,

Dale Hanson #37712
700 Conley Lake Road
Deer Lodge, Montana
59722