

FILED  
STATE OF ALASKA  
THIRD DISTRICT  
2011 DEC 15 PM 2:53  
CLERK OF TRIAL COURT

**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT KENAI**

DAVID HAEG, )  
 )  
 Applicant, )  
 )  
 v. )  
 )  
 STATE OF ALASKA, )  
 )  
 Respondent. )

) POST-CONVICTION RELIEF  
) Case No. 3KN-10-01295CI  
) (formerly 3HO-10-00064CI)

(Trial Case No. 4MC-04-00024CR)

**12-15-11 MOTION FOR IMMEDIATE HEARINGS, RULINGS, AND RESTART  
OF HAEG'S POST-CONVICTION RELIEF PROCEEDINGS**

VRA CERTIFICATION: I certify this document and its attachments do not contain the (1) name of victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

COMES NOW Applicant, DAVID Haeg, and hereby files this motion for immediate hearings, rulings, and restart of proceedings in Haeg's PCR case.

**Prior Proceedings**

- (1) Haeg filed for PCR on November 21, 2009, *or over two years ago.*
- (2) On March 5, 2010 the state filed a motion to dismiss Haeg's PCR.
- (3) On January 5, 2011 Haeg filed a motion for hearing and rulings before the court decided the state's motion to dismiss Haeg's PCR.

- (4) On January 17, 2011 Haeg filed a motion to supplement his PCR application with claims and evidence that Judicial Conduct investigator Marla Greenstein entered into a conspiracy with Judge Murphy (Haeg's trial and sentencing judge) and Trooper Gibbens (the main witness against Haeg) to cover up that Trooper Gibbens corruptly chauffeured Judge Murphy while Judge Murphy presided over Haeg's case.
- (5) On February 10, 2011 Haeg filed a motion to supplement his PCR application with claims and evidence that Judicial Conduct investigator Marla Greenstein had now falsified a "verified" document (in response to Haeg's Alaska Bar Association complaint against her) to further the conspiracy to cover up the chauffeuring of Judge Murphy by Trooper Gibbens while Judge Murphy presided over Haeg's case.
- (6) On March 7, 2011 Haeg filed a motion to supplement his PCR application with the Alaska Bar Association's decision there was probable cause to investigate Marla Greenstein and the investigation would be stayed until Haeg's PCR proceeding was decided, "so that the courts and the Bar do not reach inconsistent results."
- (7) On April 11, 2011 Haeg filed a motion for judicial notice of additional caselaw proving Haeg's PCR claims that the state: (a) knowingly falsified the location of the evidence against Haeg on all

warrants used to seize Haeg's property; (b) knowingly testified falsely about the evidence locations at Haeg's trial; (c) knowingly used Haeg's immunized statement against Haeg; (d) knowingly falsified a "verified" document to cover up that the state used Haeg's immunized statement against him; (e) knowingly testified falsely that the state did not know why Haeg had given up guiding for a year prior to Haeg's trial; and (f) that the state could not tell Haeg he must take specific actions for the greater good of everyone who depended on moose and caribou for food and then charge Haeg for those very same actions.

- (8) On April 21, 2011 Haeg filed a motion to supplement his PCR application with claims and evidence that state attorney Andrew Peterson (who opposing Haeg in this PCR proceeding) is guilty of prosecutorial misconduct – in part for falsifying the law to illegally modify the judgment against Haeg so the state could sell the seized plane before Haeg's PCR concluded.
- (9) On May 27, 2011 the court stayed Haeg's PCR proceedings.
- (10) On June 10, 2011 Haeg filed an emergency motion to stay the amendment of the judgment against Haeg (which the state required so it would include a judgment against the corporation which owned the plane seized during Haeg's case – so the state could sell the plane before Haeg's PCR case was finished) and to prevent the state

from disposing of property disputed in Haeg's PCR until Haeg's PCR was concluded.

- (11) On July 27, 2011 Haeg filed a motion for an evidentiary hearing to address the claims of privilege and confidentiality presented by Judicial Conduct investigator Marla Greenstein and Judge Murphy – claims which Greenstein and Murphy were using to prevent Haeg from questioning them about Trooper Gibbens corruptly chauffeuring Judge Murphy while Judge Murphy presided over Haeg's case and about the subsequent cover up of this.
- (12) On August 1, 2011 Haeg filed a motion for an order invalidating the boundary change to Guide Use Area 19-07 (which was changed without the required notice).
- (13) On August 3, 2011 the court lifted the stay of Haeg's PCR proceedings.
- (14) On August 4, 2011 Haeg filed a motion to reconstruct the court record with his opposition to the state's motion to dismiss his PCR proceeding (the court claimed Haeg never filed an opposition – when Haeg has a return receipt from the court proving it had been).
- (15) On September 15, 2011 Haeg filed a motion for a transcription of Arthur "Chuck" Robinson's deposition.
- (16) On September 23, 2011 Haeg filed for a protection order preventing the state from requiring Haeg to give a non-immunized statement

nearly identical to the one Haeg was forced to give 7 years ago by the state's grant of immunity (which the state intends to use to corruptly "cure" the constitutional violation 7 years ago).

### Discussion

Haeg filed his application for post-conviction relief *over two years ago*.

Many other motions and requests to the court are nearly a year old – without a ruling yet by the court.

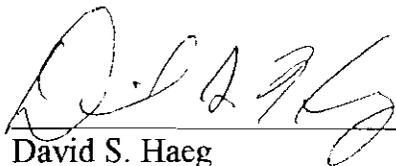
Even considering the 68-day stay of Haeg's PCR proceedings, many of the motions and requests are now over 9 months old without a ruling.

In regard to "discovery" and Haeg's claims of ineffective assistance of counsel: (1) Haeg's trial attorney Arthur "Chuck" Robinson has been deposed and provided approximately 800 pages of evidence; (2) Haeg's appellate attorney Mark Osterman has filed an affidavit and provided other evidence; (3) Haeg's pretrial attorney Brent Cole has provided 8 megabits and over a thousand hard pages of evidence – including evidence that the Department of Justice is conducting an investigation into the widespread corruption that surfaced in Haeg's case; and (4) the state has affirmed that Cole has agreed to file an affidavit responding to Haeg's allegations of ineffective assistance of counsel.

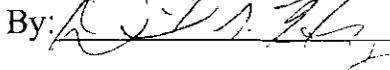
**Conclusion**

In light of the above Haeg respectfully asks the court to: (1) schedule immediate hearings in regard to the above motions, requests, and applications; (2) make rulings on the above issues immediately after the hearings on the above issues; and (3) immediately restart the proceedings that will decide Haeg's post-conviction relief application.

I declare under penalty of perjury the forgoing is true and correct. Executed on December 15, 2011. A notary public or other official empowered to administer oaths is unavailable and thus I am certifying this document in accordance with AS 09.63.020. In addition I would like to certify that copies of many of the documents and recordings proving the corruption in Haeg's case are located at: www.alaskastateofcorruption.com

  
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**Certificate of Service:** I certify that on December 15, 2011 a copy of the forgoing was served by mail to the following parties: Peterson, Judge Gleason, Judge Joannides, U.S. Department of Justice, FBI, and media.

By:   
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