

STATE OF WISCONSIN
SUPREME COURT

CASE NO.

STATE OF WISCONSIN ex rel.

RAFEAL D. NEWSON A/K/A

MARQUIS JOHNSON, [PETITIONER]

V.

CIRCUIT COURT FOR MILWAUKEE

COUNTY AND THE HONORABLE

KEVIN E. MARTEN, PRESIDING.

[RESPONDENT]

COURT OF APPEALS No.

2011 AP 1569 - W

CIRCUIT COURT No.

2000 CF 004309

PETITIONER'S APPENDIX
TO THE
PETITION FOR WRIT OF HABEAS CORPUS

SUBMITTED AND DATED THIS 5th DAY OF MARCH, 2013.

BY: 

RAFEAL D. NEWSON A/K/A MARQUIS JOHNSON

#149257, PRO SE PETITIONER

A.S.P.C. - LEWIS, MOREY UNIT 2-A-22

P.O. BOX 3300; BUCKEYE, AZ 85326

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FROM

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~~2~~ COPY FROM 11-8-2010

~~3~~ RECORD ON APPEAL

~~4~~ JUDGMENT OF CONVICTION

1

MILWAUKEE COUNTY
CIRCUIT COURT

CRIMINAL COURT RECORD

05-21-2001
9:42am

Defendant
State vs Rafeal D Newson

Responsible C.O.
John J. Di Motto-41

Case Number
00CF004309

Name	Address	City	St	Zip	Sex	Race	DOB
Rafeal D Newson	3256a No Palmer ST	Milw	WI	53206	M	African American	03-25-1977

Filing Date/C.O.	Disposition Date/C.O.	District Attorney	Defense Attorney	Next Action
08-29-2000 Kitty K. Brennan-06	04-11-2001 John J. Di Motto-41	Mark S Williams	Richard H Hart	

No. Offense Date	Offense Description	Statute	Sev	Amend Offense/ Amend Statute	A/Sev	Disposition	Sent
11-23-1999	1st-Degree Intentional Homicide [939.05 - Party to a Crime]	940.01(1)(a)	FA			Guilty / Jury Trial	81

Date	Court Record Entries	C.O. Court Reporter Tape / Counter Location
08-29-2000	Complaint filed lab	Kitty K. Brennan-06
08-29-2000	Other papers Pre-CCAP warrant served.	
08-29-2000	Initial appearance Defendant Rafeal D Newson in court with attorney Paul J Manley. Defendant Rafeal D Newson in custody. Daniel R Humble appeared for the State of Wisconsin. Defendant given a copy of complaint and advised of maximum penalties, right to counsel and right to a preliminary hearing. Court reviewed complaint and found probable cause to hold defendant for further proceedings. Defendant is indigent and Public Defender will provide counsel. Defendant is advised this case is assigned to Judge Kitty Brennan, Branch 06. Case is adjourned for preliminary hearing in Branch PE on 9-8-00 at 8:30 a.m. dmc	Frank J Liska Katherine Schoor
08-29-2000	Cash bond set	100000.00 Frank J Liska Katherine Schoor
09-08-2000	Waiver of preliminary hearing Defendant Rafeal D Newson in court with attorney John Moore. Defendant Rafeal D Newson in custody. Mark S Williams appeared for the State of Wisconsin. Defendant waived Preliminary Hearing. Preliminary Hearing Questionnaire and Waiver received and filed. Court found probable cause and bound defendant over for trial. Original Information filed. Copy given to defense counsel who waived reading. Defendant pled not guilty. Court ordered case adjourned for Scheduling Conference to Branch 06 on 09-14-00 at 8:30 am. Same bail. dn	Audrey Y. Brooks Carrie Franckowiak
09-14-2000	Scheduling conference Attorney John Moore in court via telephone, defendant Rafeal D Newson not in court, in custody. Mark S Williams appeared for the State of Wisconsin via telephone. Case set for final pretrial on 11/28/00 at 8:30 a.m. in Branch 06 and 12/18/00 at 8:30 a.m. for NF Jury Trial in Branch 06. CMG Jury trial scheduled for 12-18-2000 at 08:30 am.	Kitty K. Brennan-06 Off the Record
1-28-2000	Rescheduled Defendant Rafeal D Newson in court with attorney John Moore and Barry Slagle. Defendant Rafeal D Newson in custody. Mark S Williams appeared for the State of Wisconsin. Court orders case adjourned to 12/6/00 at 8:30 a.m. for final pretrial in Branch 06. CMG Final pre-trial scheduled for 12-06-2000 at 08:30 am.	Kitty K. Brennan-06 Linda Levensgood

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(EXHIBIT A) (P)

THE RECORD ON APPEAL NO. 04-2988 CONSISTS OF THE FOLLOWING:

- 1 - 7 Judgment Roll
- 2 - 3 Criminal Complaint
- 3 - 1 Preliminary Hearing Questionnaire and Waiver dated September 8, 2000
- 4 - 1 Felony Warrant and Authorization for Extradition
- 5 - 3 Demand for discovery and inspection
- 6 - 1 Information
- 7 - 5 Letter to Judge Kitty Brennan dated December 7, 2000 from defendant
- 8 - 32 Notice of motion and motion to suppress statement
- 9 - 5 Motion in limine
- 10 - 1 Notice of alibi
- 11 - 1 Order appointing counsel dated December 27, 2000
- 12 - 3 Letter to Judge Kitty Brennan dated February 11, 2001 from defendant
- 13 - 2 Letter to Judge Kitty Brennan dated February 25, 2001 from defendant
- 14 - 1 Exhibit list
- 15 - 1 Defendant's proposed witness list
- 16 - 2 State's proposed witness list
- 17 - 2 State's requested jury instructions
- 18 - 1 Contempt of court order of witness Gary Bridges dated March 6, 2001
- 19 - 1 Order dated March 7, 2001
- 20 - 4 Exhibit list
- 21 - 13 Jury Instructions
- 22 - 1 Verdict
- 23 - 1 Order for Pre-Sentence Investigation dated March 8, 2001
- 24 - 1 Notice of Right to Seek Post Conviction Relief
- 25 - 1 Judgment of Conviction dated April 12, 2001
- 26 - 4 Notice of Intent to Pursue Post Conviction Relief
- 27 - 1 Notice of motion and motion to serve sentence concurrent (witness Gary Bridges) dated May 16, 2001
- 28 - 5 Notice of motion and motion to serve sentence concurrent (witness Gary Bridges) dated May 23, 2001
- 29 - 1 Decision and order denying motion for concurrent disposition dated May 30, 2001 (witness Gary Bridges)
- 30 - 3 Motion to withdraw
- 31 - 3 Public Defender report dated January 7, 2002
- 32 - 4 Order dated January 7, 2002
- 33 - 15 Letter to Judge John DiMotto dated January 25, 2002 from defendant
- 34 - 2 Decision and order denying motion to withdraw as counsel dated February 1, 2002
- 35 - 3 Notice of Appeal
- 36 - 10 Statement of Transcript
- 37 - 5 Transcript of reporters notes dated August 29, 2000 - **INITIAL APPEARANCE**

(4)

- 38 - 4 Transcript of reporters notes dated September 8, 2000 -
PRELIMINARY HEARING WAIVER
- 39 - 5 Transcript of reporters notes dated November 28, 2000 -
ADJOURNMENT
- 40 - 16 Transcript of reporters notes dated December 6, 2000 - **FINAL
PRETRIAL**
- 41 - 20 Transcript of reporters notes dated December 15, 2000 - **FURTHER
PROCEEDINGS**
- 42 - 4 Transcript of reporters notes dated January 5, 2001 - **STATUS
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- 43 - 21 Transcript of reporters notes dated February 22, 2001 - **STATUS
CONFERENCE**
- 44 - 40 Transcript of reporters notes dated March 5, 2001 - **MOTION**
- 45 - 156 Transcript of reporters notes dated March 5, 2001 - **JURY TRIAL**
- 46 - 99 Transcript of reporters notes dated March 6, 2001 - **JURY TRIAL
(AM)**
- 47 - 102 Transcript of reporters notes dated March 6, 2001 - **JURY TRIAL
(PM)**
- 48 - 128 Transcript of reporters notes dated March 7, 2001 - **JURY TRIAL**
- 49 - 96 Transcript of reporters notes dated March 8, 2001 - **JURY TRIAL**
- 50 - 42 Transcript of reporters notes dated April 11, 2001 - **SENTENCING**
- 51 - 3 ~~Certificate of the clerk~~
- 51 - 1 Gold envelope containing exhibit nos. 28, 29, 30, 31, 32, 41, 42, 43, 44,
46, 47, 48, 49, 50, 59 & 60
- 52 - 3 Certificate of the clerk
- 53 - 8 Decision of Court of Appeals dated September 22, 2003: **IT IS
ORDERED** that the judgment, as corrected, is summarily affirmed
- 54 - 2 Remittitur of Court of Appeals dated October 29, 2003 summarily
affirming the judgment as corrected
- 55 - 8 Judgment Roll
- 56 - 63 Motion for Post Conviction Relief Pursuant To Section 974.06 Wis.
Stats.
- 57 - 1 Notice of Change of Address
- 58 - 15 Decision And Order Denying Motion For Post Conviction Relief
- 59 - 2 Notice of Appeal
- 60 - 1 Statement on Transcript
- 61 - 3 Certificate of the Clerk

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COURT COPY
DO NOT REMOVE
 Sentence to Wisconsin State Prisons
 Case No.: OOCF004309

Date of Birth: 03-25-1977

The defendant was found guilty of the following crime(s):

[Handwritten signature/initials]

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	1st-Degree Intentional Homicide [939.05 Party to a Crime]	940.01(1)(a)	Not Guilty	Felony A	11-23-1999	Jury	03-08-2001

IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Concurrent with/Consecutive to/Comments	Agency
1	04-11-2001	State Prisons	1 LF	Consecutive to sentence presently serving in state of Arizona. Court sets eligibility date of January 1, 2050. Provide DNA sample. Cannot possess firearms.	DOC
1	04-11-2001	Costs		Costs, v/w surcharge and any other applicable assessments and surcharges. Prison earnings to apply to all money owed.	

Conditions of Sentence or Probation

Obligations: (Total amounts only)

Fine	Court Costs	Attorney Fees	Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
	100.00			55.00	70.00		250.00

IT IS ADJUDGED that 0 days sentence credit are due pursuant to § 973.155 Wisconsin Statutes.

IT IS ORDERED that the Sheriff execute this sentence.

BY THE COURT:

John J. Di Motto-41
 Mark S Williams
 Richard H Hart, Defense Attorney



Marcia A. McAuliffe
 Court Official
 4-12-01
 Date

(6)

LOWER COURT JUDGMENTS

~~3~~ - 9-22-2003 - ORDER, OF THE WISCONSIN
COURT OF APPEALS

~~4~~ - 10-6-2004 - ORDER, DENYING MOTION FOR
POSTCONVICTION RELIEF

~~5~~ - 9-10-2010 - ORDER, DENYING EVIDENTIARY
HEARING AND 974.06 MOTION FOR
POSTCONVICTION RELIEF

~~6~~ 10-8-2010 - ORDER, DENYING MOTION FOR
RECONSIDERATION

~~7~~ 7-27-2012 - ORDER, DENYING PETITION FOR
WRIT OF HABEAS CORPUS

~~8~~ 2-5-2013 - ORDER, DENYING MOTION
FOR RECONSIDERATION

~~9~~ 11-11-2003 - ORDER, DENYING ADVISORY COUNSEL

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Facsimile (608) 267-0640
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DISTRICT I

September 22, 2003

To:

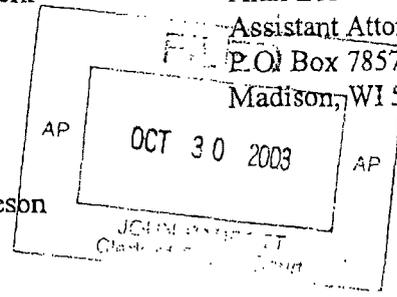
Hon. John J. Di Motto, Circuit Court Judge
Milwaukee County Courthouse
901 N. 9th Street
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Robert D. Donohoo
Deputy District Attorney
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Milwaukee, WI 53233

John Barrett, Circuit Court Clerk
Criminal Appeals Processing
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Paul G. Bonneson
Law Offices of Paul G. Bonneson
631 N. Mayfair Rd.
Milwaukee, WI 53226



You are hereby notified that the Court has entered the following opinion and an order:

02-0959-CR State of Wisconsin v. Rafeal D. Newson (L.C. 00 CF 4309)

Before Fine, Schudson and Curley, JJ.

Rafeal D. Newson appeals from a judgment of conviction for first-degree intentional homicide. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. See WIS. STAT. RULE 809.21 (2001-02).¹ We conclude that the circuit court properly exercised discretion in admitting three hearsay statements against the societal interest of a witness who refused to testify, after it satisfactorily explained why doing so did not violate Newson's right of confrontation. Therefore, we summarily affirm.

¹ All references to the Wisconsin Statutes are to the 2001-02 version unless otherwise noted.

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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 23

MILWAUKEE COUNTY

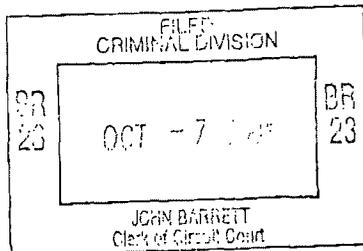
STATE OF WISCONSIN,

Respondent,

v.

RAFEAL NEWSON,

Petitioner.



Case No. 00CF4309

**DECISION AND ORDER
DENYING MOTION FOR POSTCONVICTION RELIEF**

Introduction

The petitioner, Rafeal Newson, has filed a *pro se* petition for postconviction relief, pursuant to Wis. STAT. § 974.06. On March 8, 2001, a jury convicted Newson of one count of first-degree intentional homicide, party to a crime, in violation of Wis. STAT. § 940.01(1) and 939.05 (1995-96); relating to the death of Terrance D. MacIin on November 23, 1996. Thereafter, Newson filed a direct appeal, challenging the trial court's decision to admit three hearsay statements made by Gary Bridges, a witness who refused to testify. Newson's appeal was unsuccessful. He now asserts that he was denied the effective assistance of appellate counsel because counsel failed to raise several issues on direct appeal. For the reasons discussed below, this court concludes that Newson's appellate counsel was effective.

Standard of Review

The court reviews the defendant's allegations under the principles set forth in State ex rel. Rothering, 205 Wis.2d 675 (Ct. App. 1996). Under Rothering, a defendant

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may bring a claim under section Wis. STAT. § 974.06 before the trial court alleging that postconviction counsel was ineffective. The Rothering court indicates that the ineffective assistance of postconviction counsel may be sufficient cause under State v. Escalona-Naranjo, 185 Wis.2d 169 (1994), for failing to raise an issue previously. Both Wis. STAT. § 974.06(4) and Escalona require a defendant to raise all issues in his or her original postconviction motion or appeal. If appellate counsel's failure to include additional issues on direct appeal rises to the level of ineffective assistance of counsel, this could constitute a sufficient reason as to why the defendant failed to assert such issues. See Rothering, 205 Wis. 2d at 682 ("In some circumstances ... ineffective postconviction counsel constitutes a sufficient reason as to why an issue which could have been raised on direct appeal was not."). The court will review all claims in the context of Rothering.

In determining whether effective assistance of counsel was denied, Wisconsin follows the standard announced in Strickland v. Washington, 466 U.S. 668, 694 (1984), where the United States Supreme Court set forth a two-part test: deficient performance and prejudice. Under this test, the defendant has the burden to show both that his attorney performed below an objective standard of reasonableness and that he was prejudiced by counsel's deficiency. With regard to the first prong, counsel is presumed to have acted properly; a defendant must demonstrate that his attorney made serious mistakes that could not be justified in the exercise of objectively reasonable professional judgment. Id. at 690. Under the second prong, the defendant is required to show "that there is a reasonable probability, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 694; also State v. Johnson, 153 Wis. 2d

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COPY

STATE OF WISCONSIN

CIRCUIT COURT
Branch 27

MILWAUKEE COUNTY

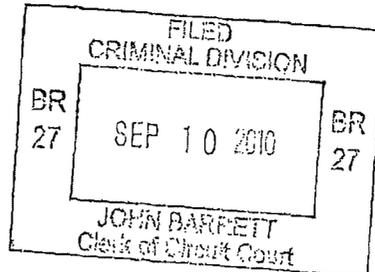
STATE OF WISCONSIN,

Plaintiff,

vs.

RAFEAL NEWSON,

Defendant.



Case No. 00CF004309

**DECISION AND ORDER DENYING MOTION FOR EVIDENTIARY HEARING
AND 974.06 MOTION FOR POSTCONVICTION RELIEF**

On September 7, 2010, the defendant filed a *pro se* motion for evidentiary hearing in conjunction with a new motion for postconviction relief he has filed under sec. 974.06, Wis. Stats. He claims that trial counsels were ineffective for failing to challenge the court's jurisdiction in this case on grounds that the criminal complaint was defective. The defendant filed a prior 974.06 motion, and the present claims could have and should have been raised in that motion. They were not, and therefore, the current motion is barred by State v. Escalona-Naranjo, 185 Wis.2d 169, 178 (1994). Section 974.06(4), Wis. Stats., requires a defendant to raise all grounds for postconviction relief in his original motion or appeal. Failure to do so precludes a defendant from raising additional issues, including claims of constitutional or jurisdictional violations, in a subsequent motion or appeal where those issues could have been raised previously. Escalona, supra.

THEREFORE, IT IS HEREBY ORDERED that the defendant's motion for an evidentiary hearing and motion for postconviction relief filed pursuant to sec. 974.06, Stats., is **DENIED**.

Dated this 10 day of September, 2010, at Milwaukee, Wisconsin.

BY THE COURT:



Kevin E. Martens

Kevin E. Martens
Circuit Court Judge

Handwritten marks: a circle with the number 11 and a circled signature.

COPY

~~EXHIBIT #1~~

STATE OF WISCONSIN

CIRCUIT COURT
Branch 27

MILWAUKEE COUNTY

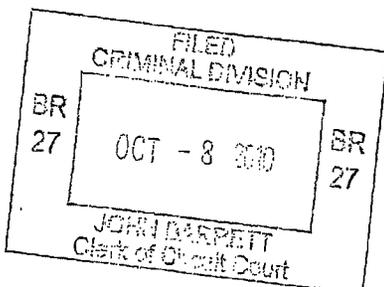
STATE OF WISCONSIN,

Plaintiff,

vs.

RAFEAL NEWSON,

Defendant.



~~(Signature)~~
(PAGE 2)

Case No. 00CF004309

**DECISION AND ORDER
DENYING MOTION FOR RECONSIDERATION**

On September 30, 2010, the defendant filed a *pro se* motion for reconsideration of the court's September 10, 2010 decision denying his motion for an evidentiary hearing and 974.06 motion for postconviction relief. He filed a supplemental motion for reconsideration on October 7, 2010. The court has reviewed the defendant's current submissions and finds that it sets forth nothing which would alter the court's original decision in this matter. For the reasons enumerated in the court's September 10, 2010 decision, the relief sought is denied.

THEREFORE, IT IS HEREBY ORDERED that the defendant's motion for reconsideration is **DENIED**.

Dated this 8 day of October, 2010, at Milwaukee, Wisconsin.

BY THE COURT:



Kevin E. Martens
Kevin E. Martens
Circuit Court Judge

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~~(Signature)~~



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WISCONSIN COURT OF APPEALS

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DISTRICT I

July 27, 2012

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A. John Voelker
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You are hereby notified that the Court has entered the following opinion and order:

2011AP1569-W State of Wisconsin ex rel. Rafeal D. Newson v. Circuit Court for
Milwaukee County (L.C. # 2000CF4309)

Before Curley, P.J., Fine and Kessler, JJ.

Rafeal D. Newson, *pro se*, petitions this court for a writ of *habeas corpus*. Though Newson alleges multiple claims of error, his fundamental complaint is that the circuit court lacked personal and subject matter jurisdiction over him. The respondents were directed to respond, *see* WIS. STAT. RULE 809.51(2)(b) (2009-10), and after the response was filed, we

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~~17~~

No. 2011AP1569-W

Habeas corpus is an extraordinary remedy that does not issue as a matter of right. See *State ex rel. Haas v. McReynolds*, 2002 WI 43, ¶14, 252 Wis. 2d 133, 643 N.W.2d 771. A party seeking the writ must show three things: that he or she has been restrained of liberty, that the restraint was imposed by a court without jurisdiction or that the restraint imposed was contrary to constitutional protections, and that there was no other adequate remedy available in the law. *Id.*, ¶13.

WISCONSIN STAT. § 974.06 was created “to replace habeas corpus as the primary method in which a defendant can attack his conviction after the time for appeal has expired.” *State v. Allen*, 2010 WI 89, ¶22, 328 Wis. 2d 1, 786 N.W.2d 124 (citation omitted). Thus, a *habeas corpus* petition “shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced the person ... unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his or her detention.” WIS. STAT. § 974.06(8) (2009-10); see also *State v. Johnson*, 101 Wis. 2d 698, 701, 305 N.W.2d 188 (Ct. App. 1981) (Section 974.06 “is designed to supplant habeas corpus and other special writs.”).

Newson does not explain why his jurisdictional challenge was not or could not have been addressed by his first WIS. STAT. § 974.06 motion. He also does not explain why his challenge could not have been addressed in the appeal of his second § 974.06 motion, which actually had raised a jurisdictional issue. See *State v. Pozo*, 2002 WI App 279, ¶9, 258 Wis. 2d 796, 654 N.W.2d 12 (A writ of *habeas corpus* will not be granted where “the petitioner asserts a claim that he or she could have raised during a prior appeal, but failed to do so, and offers no valid

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DISTRICT I

February 5, 2013

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Madison, WI 53707-7857

Rafeal D. Newson 149257
2A3 Lewis Morey - ASPC
P.O. Box 3300
Buckeye, AZ 85326

A. John Voelker
Director of State Courts
P.O. Box 1688
Madison, WI 53701-1688

You are hereby notified that the Court has entered the following order:

2011AP1569-W State of Wisconsin ex rel. Rafeal D. Newson a/k/a Marquis Johnson
v. Circuit Court for Milwaukee County and the Honorable Kevin E.
Martens, presiding (L.C. #2000CF4309)

Before Curley, P.J., Fine and Kessler, JJ.

By opinion and order dated July 27, 2012, this court denied Rafeal D. Newson's *pro se* petition for a writ of *habeas corpus*. Newson timely moved the court to reconsider that opinion.

The court has reviewed Newson's motion in light of the previous submissions and the decision in

6233270081

ASPC LEWIS MOREY AD

COPY

~~XXXXXXXXXX~~

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

Branch 23

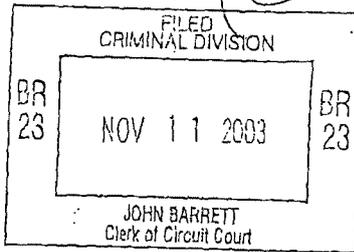
STATE OF WISCONSIN,

Plaintiff,

vs.

RAFEAL NEWSON,

Defendant.



Case No. 00CF004309

~~XXXXXXXXXX~~

**DECISION AND ORDER
DENYING MOTION FOR ADVISORY COUNSEL**

On November 6, 2003, the defendant filed a *pro se* motion for advisory counsel to pursue postconviction relief pursuant to section 974.06, Wis. Stats. The case has been assigned to this court for review because the sentencing judge, the Hon. John DiMotto, is no longer in the felony division. The trial court does not appoint counsel for purposes of 974.06 motions. The defendant may apply to the public defender's office for the discretionary appointment of counsel.

THEREFORE, IT IS HEREBY ORDERED that the defendant's motion for advisory counsel for purposes of pursuing a 974.06 motion for postconviction relief is **DENIED**.

Dated this 11th day of November, 2003, at Milwaukee, Wisconsin.

BY THE COURT:

/S/ELSA C. LAMELAS

Elsa C. Lamelas
Circuit Court Judge

~~APPENDIX AA~~

16

PORTIONS
OF
TRANSCRIPT(S)

-8-29-2000

-11-28-2000

-12-16-2000

17

6233270081

ASPC LEWIS MORRIS AD

~~(EXHIBIT # 5)~~

Rec'd
7/3/11

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STATE OF WISCONSIN : CIRCUIT COURT : MILWAUKEE COUNTY
INTAKE COURT

STATE OF WISCONSIN,

PLAINTIFF,

VS.

CASE NO.00-CF-4309

RAFEAL NEWSON,

DEFENDANT.

HONORABLE FRANK J. LISKA, JR.
JUDICIAL COURT COMMISSIONER

INITIAL APPEARANCE
AUGUST 29, 2000

A P P E A R A N C E S

DAN HUMBLE, Assistant District
Attorney on behalf of the State of Wisconsin.

PAUL MANLEY, Assistant State
Public Defender on behalf of the defendant.

18

-THE DEFENDANT IS PRESENT IN COURT-

~~(EX-5)~~ ~~[scribble]~~

P R O C E E D I N G S

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THE CLERK: The State of Wisconsin vs.
Rafael Newson: OO-CF-4309; First Degree Intentional
Homicide, party to a crime.

This is an initial appearance. The case
is assigned to Judge Brennan Branch 6.

Case Number 96-CM-013526; Battery. This
is a return on a bench warrant. The defendant failed to
appear for pre-trial before Judge Gordon on November 29th
of 1996, and \$150 cash bail was ordered forfeitted.

Case Number 96-CM-013130; Possession of
Controlled Substance Marijuana, Obstructing Officer. This
is a return on a bench warrant. The defendant failed to
appear before Judge Gordon on November 29, 1996, for a
pre-trial.

The misdemeanors are now assigned to
Judge Sosnay Branch 8.

Appearances, please.

MR. HUMBLE; Dan Humble for the State.

MR. MANLEY: Reserving all jurisdictional
objections, Paul Manley appears for Mr. Newson. He is
present.

19

THE COURT: I'll make a finding of probable
cause in the felony. Mr. Newson, just so you understand,
this is a Class A Felony. The penalty is life imprisonment;

~~LEX 51~~

1 do you understand that?

2 THE DEFENDANT: Yes.

3 THE COURT: Does he qualify for Public
4 Defender representation?

5 MR. MANLEY: Yes.

6 THE COURT: So you understand you have
7 a right to a lawyer; is that correct?

8 THE DEFENDANT; Yes.

9 THE COURT: You have the right to a
10 preliminary hearing. Before the homicide case can go to
11 a trial, the State has to show that they have enough
12 evidence to justify at trial and at the preliminary hearing
13 they'll try to present clear and convincing evidence that
14 there is probable cause to believe a felony has been
15 committed in this jurisdiction and that you probably
16 committed it. If they don't make that showing the case
17 doesn't go any farther. Do you understand that, Mr. Newson?

18 THE DEFENDANT: Yes.

19 THE BAILIFF: I show a VDP hold and an
20 Arizona State Prison hold.

21 MR. HUMBLE: Well, this is academic.
22 How about \$100 on each misdemeanor and \$20,000 on the felony?

23 MR. MANLEY: I do believe that bail at
24 this time is moot due to the fact that there is a state
25 prison sentence of 19 and-a-half years in Arizona.

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THE COURT: Well, given that he's a prisoner of the State of Arizona and he's got a VOP hold, I think a homicide has got to have some greater value than that and I'm going to set bail at \$100,000 cash and \$100 each on the misdemeanors.

THE CLERK: The next court date as to the felony is September 8th at 8:30 for the preliminary hearing.

As to the misdemeanors, the next court date is September 13th at 8:30 for return on a warrant in Branch 8.

(Whereupon, the matter was adjourned.)

21

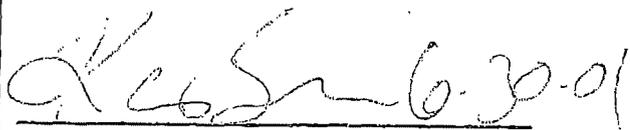
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STATE OF WISCONSIN)

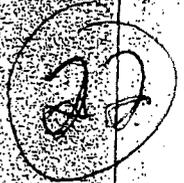
) ss

MILWAUKEE COUNTY)

I, KATHERINE SCHOOR, Court Reporter, hereby
certify that as a court reporter for Milwaukee County, I
took in Stenograph the proceedings had before the Court
in the aforementioned matter on August 29, 2000,
and that the attached transcript is a true and correct copy
of said shorthand notes.



KATHERINE SCHOOR
COURT REPORTER



~~XXXXXXXXXX~~

NOVEMBER 28, 2000

1 MR. WILLIAMS: I don't have a problem with that.
 2 I'm here on Wednesday, December 6, but at that time, if
 3 Mr. Newson does not accept the offer, which I believe is a
 4 very reasonable offer, the State will withdraw that offer,
 5 and we will be proceeding to trial on December 19 on a
 6 charge of first-degree intentional homicide, where he'll be
 7 facing life imprisonment.

8 THE COURT: All right.

9 MR. MOORE: I've explained that to Mr. Newson,
 10 and I think he understands that. The only other thing that
 11 I did want to put on the record, Judge, is that it's my
 12 understanding that, based on my discussions with
 13 Mr. Williams, that this is a detainer case that,
 14 apparently, has to be resolved by December 26. I had asked
 15 for a copy of the detainer previously, and it's my
 16 understanding that it's actually in the possession of John
 17 Reddin, and I assume Mr. Williams will get me a copy today.

18 MR. WILLIAMS: I'll get you a copy of the
 19 detainer because the defendant filed it, so that's where we
 20 are, and I will attempt to get a copy of that for
 21 Mr. Moore.

22 THE COURT: And as to the date, I thought I heard
 23 you say the 19th. I had this down for the 18th.

24 MR. WILLIAMS: I'm sorry, you're right. It's the
 25 18th.

23

~~(EX: A)~~

DECEMBER 16, 2000

1 DEFENDANT: Well, that part of it --

2 THE COURT: Okay.

3 DEFENDANT: -- the question.

4 THE COURT: Then what that means is we take off
5 the jury date for Monday. We'll set a new jury
6 date -- February 12 if we're available.

7 Carol, do we --

8 THE CLERK: We have a first-degree intentional
9 homicide with Bill Molitor.

10 THE COURT: Then we're not available. I'm not
11 doing to myself what I did for this week.

12 THE COURT: We'll pick a new jury date.

13 MR. WILLIAMS: How about March 5?

14 THE COURT: And in terms of the detainer --

15 MR. WILLIAMS: He's going to have to waive that.

16 THE COURT: Well, I find, by his actions and
17 conduct with his lawyer, first of all, his failure to give
18 Mr. Moore his alibi witnesses in a timely fashion, his
19 motion filed with the Court dated December 7, 2000, he has,
20 by conduct, waived the hundred-and-twenty-day trial
21 requirement of 976.05(4)(c).

22 Mr. Williams, I gave a lot of credence to your
23 objection last date, but in reading the statute, the waiver
24 is expressly noted in the statute, sub (c), so unless you
25 have some case that says it's a problem, I don't see that

(24)

MINUTE

ENTRY

(EXTRADITION HEARING)

- 7-17-2000

25

~~EXHIBIT # X (EXHIBIT # 1)~~
C
FILED (1 OF 2)
PATRICIA A. NOLAND
CLERK, SUPERIOR COURT
July 18, 2000 (2:04 p.m.)
By: Mary Mieler

ARIZONA SUPERIOR COURT, PIMA COUNTY

JUDGE: HON. MICHAEL CRUKSHANK

CASE NO. H-20000008

COURT REPORTER: Holly Johnson

DATE: July 17, 2000

STATE OF ARIZONA

Rick Unklesbay

VS.

MARQUIS JOHNSON aka RAFAEL NEWSON

Donald Klein

MINUTE ENTRY (AMENDED 7-28-00)

HEARING ON INTERSTATE DETAINER ACT (FORM V) / WRIT OF HABEAS CORPUS FROM
THE STATE OF WISCONSIN:

Defendant present, in custody at the Department of Corrections.

Mr. Unklesbay makes opening statements to the Court.

Mr. Klein advises that the defendant does not wish to waive a hearing.

DPS Identification Technician Suzanne Harvey is sworn, examined, and cross-examined.

State's Exhibit 1, being certified documents from the State of Wisconsin, is identified.

State's Exhibit 2, being fingerprint card containing prints rolled from the defendant this date and used for comparison purposes, is identified.

Lisa Soto is sworn and examined.

State's Exhibit 3, being Interstate Detainer Act Form V-A (unsigned), is identified.

State's Exhibit 4, being Interstate Detainer Act Form V-B (unsigned), is identified.

State's Exhibits 1, 3, and 4, previously identified, are admitted over the objection of defense counsel.

Counsel make closing arguments to the Court.

Mr. Klein moves to strike the identification made by Suzanne Harvey.

~~APPENDIX H~~

Mary Mieler
Deputy Clerk

26

6233270081

ASPC LEWIS MOREY AD

~~(2)~~ (2 OF 2)

MINUTE ENTRY

Page: 2

Date: July 17, 2000

Case No: H-20000008

IT IS ORDERED that the motion to strike is denied.

Good cause appearing,

IT IS ORDERED granting the Order for Interstate Detainer Act to transfer temporary custody of the defendant to the State of Wisconsin.

ORDER SIGNED by the Court.

Mr. Unklesbay substitutes copies of Exhibits 1, 3, and 4 as the originals must be returned to the State of Washington with the defendant.

FILED IN COURT: Order (signed by the Court); Exhibit Release Receipt

cc: Hon. Michael Cruikshank
Hon. Edgar Acuna
Criminal Calendaring
County Attorney - Rick Unklesbay
Public Defender - Donald Klein
Arizona State Prison (Wilmot), P.O. Box 24400, T/A 85734-4400, Attn: Genevieve
Marquis Johnson, #149257, c/o ASPC - Wilmot, P.O. Box 24400, T/A 85734-4400

~~2013~~
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Mary Mieler
Deputy Clerk

JURISDICTIONAL DOCUMENT(S)

- CRIMINAL COMPLAINT
- FELONY ARREST WARRANT (AND
AUTHORIZATION FOR EXTRADITION)
- INFORMATION
- PETITIONER'S ARIZONA INDICTMENT
UNDER ALIAS MARQUIS JOHNSON

28

HOMICIDE UNIT

STATE OF WISCONSIN
CIRCUIT COURT CRIMINAL DIVISION COURT COPY DO NOT REMOVE MILWAUKEE COUNTY

STATE OF WISCONSIN, Plaintiff(s) CRIMINAL COMPLAINT Page 1
vs
RAFEAL D. NEWSON 032577 Johnson, Louis
3256A North Palmer Street
Milwaukee, WI 53212
Defendant(s)

EX-9
DOCCF004309

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN

FIRST DEGREE INTENTIONAL HOMICIDE, PARTY TO A CRIME

On November 23, 1996, at 2904 North 21st Street, City of Milwaukee, as a party to a crime, did cause the death of another human being, Terrance Maclin, with intent to kill that person, contrary to Wisconsin Statutes sections 940.01(1) and 939.05.

Upon conviction of this charge, a Class A Felony, the penalty is life imprisonment.

Complainant states he is a City of Milwaukee Police Detective and this complaint is based upon his personal investigation and information and belief, and states the following:

On November 23, 1996, numerous City of Milwaukee police and fire department medical personnel were dispatched to investigate a shooting which occurred near 2904 North 21st Street, City and County of Milwaukee, State of Wisconsin. Said officer further reports that upon arrival, police investigation revealed that a black male, subsequently identified by his father, Ellis Jude, Jr., a citizen witness, as his son Terrance D. Maclin, DOB 4/27/70, had sustained numerous gunshot wounds to his body, including several wounds to his head, face, and hand. Further that the person of Terrance Maclin was placed in a paramedic ambulance to be conveyed to a hospital for emergency medical treatment, and while en route to the hospital, Terrance D. Maclin died. He was subsequently conveyed to the Milwaukee County Medical Examiner's Office where Milwaukee County Medical Examiner Dr. John Teggatz performed an autopsy on the body of Terrance D. Maclin, and concluded to a reasonable degree of medical certainty that he died as a result of exsanguination due to numerous gunshot wounds to his person.

Complainant further states that police received information from citizen witnesses in the area that two vehicles, tentatively described as a white Cadillac and a second green automobile, had driven away from the area after the shooting, and subsequent police investigation revealed that four persons were in the Cadillac automobile, identified as Marquis Newson, Rafeal Newson, Brian Bridges, AKA "Bree," and Gary Bridges, AKA "June," and that Charles E. Hennings, AKA "Shorty," was in the green automobile.

Complainant further states that Lashonda Katrell Boyd, a citizen witness, indicated to police that on the above-mentioned date, she was near the above-mentioned area when she observed a small, green car pull over near the 2900 block of North 21st Street. She further indicated that a small white four-door Cadillac then pulled behind the green car, but not all the way to the curb. She further indicated that a black male got out of the Cadillac automobile and confronted another black male, and he was yelling at the other black male and she started going down 21st Street.

29

RAFEAL D. NEWSON - 032577

further indicated that she then heard a bunch of shots which she referred to as "bucking," and said she heard at least eight or nine shots. She further indicated that she then saw the black man who was in front of the man from the Cadillac fall to the ground, and the black man from the Cadillac then ran back to the Cadillac and got in on the driver's side and the car left the area. She further indicated that she then saw people from the neighborhood gather around the victim, and when the police arrived, she walked over to the area where the victim was laying and she saw that it was a person who she knew by the name of Terrance Maclin. She further indicated that she did not know what happened to the green car that pulled over first because it disappeared.

Complainant further states that Shantrel A. Lockett, a citizen witness, indicated to police that the victim of the shooting, Terrance Maclin, was her cousin. She further indicated that she also knew Rafeal and Marquis Newson. In regard to the shooting of Terrance Maclin, she indicated that she had received telephone calls from two of Terrance's girlfriends, Turin Davis and Paulette Grice, and she learned from them that Terrance had been with a friend of his by the name of Charles E. Hennings. She further indicated that Terrance and Charles were in the area of North 21st Street when they were approached by Rafeal Newson, who she believed was with Marquis Newson and another black male. She further indicated that she heard that when Marquis and Rafeal pulled up in Rafeal's Cadillac automobile, Terrance (Maclin) stuck his head in the car and started talking to them, and then backed away from the car and Rafeal Newson got out of the car and pulled out a handgun and began firing at Terrance, and after Terrance fell, Rafeal got back into the car and they took off. She further indicated to police that she had previously seen Rafeal (Newson) with guns, including a .40 caliber Glock, which complainant states would be a weapon consistent with the ballistics evidence police recovered from the scene of the shooting.

Complainant further states that Charles Edward Hennings, a citizen witness, indicated to police that he was with Terrance Maclin on the day of the shooting and knew who shot him. He further indicated that Maclin had been real tight with a person he referred to as "Ralph" and his brother Marquis, who he subsequently identified as Rafeal D. Newson and Marquis D. Newson. He further indicated that sometime during the past summer, Maclin bought a Cadillac and then gave it to Ralph (Rafeal), and Ralph (Rafeal) had promised to pay Maclin for the car. He further indicated that at first, Maclin didn't "sweat" Ralph (Rafeal) for the money, but about 10-12 days before Maclin was killed, he started "sweating" Ralph (Rafeal) for his money. He further indicated that sometime prior to the shooting, Maclin had an argument over a gun with a person he referred to as "Lil June," and who he later identified as Gary L. Bridges. He further indicated that during the time of the argument, "Lil June" (Gary Bridges) was in prison, and during the argument, Maclin and "Lil June" (Gary Bridges) were threatening one another, and indicated they would meet up once "Lil June" (Gary Bridges) got out of prison. He further indicated that about 2-3 days before Maclin was killed, "Lil June" (Gary Bridges) had gotten out of prison and there were still some problems between them. He further indicated that on the day that Maclin was killed, he and Maclin had gone to the KFC on 19th & Capitol in a green Taurus rent-a-car, which had been rented by Maclin's girlfriend, Paulette. He further indicated that after leaving the KFC, Maclin was driving to his girlfriend's house near 21st & Locust when they saw Marquis (Newson) driving the white Fleetwood near 21st & Locust. He further indicated that Maclin saw "Lil June" (Gary Bridges) in the Cadillac, and then turned the auto in front of the white Cadillac and exited the vehicle and ran to the front passenger side of the Cadillac where "Lil June" (Gary Bridges) was seated. He further indicated that Maclin then began arguing with "Lil June" (Gary Bridges). He further indicated that he observed Ralph (Rafeal)

RAFEAL D. NEWSON - 032577,

Newson) in the back seat along with "Bree," who he subsequently identified as Brian Bridges. He further indicated that Marquis (Newson) was driving. He further indicated that Maclin was by the right passenger door with his head inside the automobile and he, Hennings, got out of the car and walked to the back of the passenger side of the Cadillac and started talking to Ralph (Rafeal), who was now outside of the car. He further indicated that at one point, "Bree" (Brian Bridges) got out of the rear driver's seat and began running toward the rear of the Cadillac, saying something to the effect, "Hold on, man, that's my brother," referring to "Lil June" (Gary Bridges), who was still arguing with Maclin. He further indicated that he had left Ralph (Rafeal) who had been standing next to him, and the next thing he knew, he heard three or four gunshots, and then he turned around and saw Ralph (Rafeal) shooting Maclin. He further indicated that Ralph (Rafeal) was shooting Maclin with a black semiautomatic gun. He further indicated that he then observed Marquis (Newson) get out of the driver's seat of the Cadillac holding a pistol, and he (Hennings) ran from the area. He further indicated that he heard several more shots as he was running away. He further indicated that he then back tracked through the alley, and he went through some yards and saw the Cadillac pulling off. He walked through the yards and back to where Maclin was now lying with numerous gunshot wounds to his head and face. He further indicated that he then grabbed Maclin's hand, but he didn't respond, and a crowd started gathering around Maclin's body. He got into the green Taurus rent-a-car and drove off.

Complainant further states that Charles Edward Hennings was shown several photographs, and he positively identified the photograph of Rafeal D. Newson as the person he referred to as Ralph, and the person he saw shoot Terrance Maclin; and he positively identified the photograph of Marquis D. Newson or "Mark," who was driving the Cadillac automobile; and he positively identified the photograph of Brian Bridges as the person he referred to as "Bree," the brother of "Lil June;" and he positively identified the photograph of Gary L. Bridges as the person he was referring to as "Lil June," and the person who Maclin had been arguing with when Rafeal Newson shot him.

****END OF COMPLAINT****

SUBSCRIBED AND SWORN TO BEFORE ME AND APPROVED FOR FILING December 6, 1995

[Signature]
 DEPUTY/ASST. DISTRICT ATTORNEY

[Signature]
 COMPLAINING WITNESS

-- FELONY COMPLAINT --

RKRAE:ks

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6233270081

ASPC LEWIS MOREY AD

338197

The State of Wisconsin, Plaintiff,
v.
RAFEAL D. NEWSON 032577
3256A North Palmer Street
Milwaukee, WI 53212

M/B, 5'10", 180 lbs.,
brown eyes, black hair
Defendant

113279

AUTHORIZATION FOR EXTRADITION
(Check One)

Extradition is authorized from any location within the United States

Extradition is authorized from any adjoining state.

Extradition is not authorized.

Date 12/6/96

[Signature]
County/Circuit District Attorney

RETURN

Arrested the named Defendant on _____, 19____, at _____, M.,
at _____
(address), city/county of _____
Wisconsin, by virtue of this warrant.

Law Enforcement Officer-Name & Title _____
Fees: Service ---\$
Travel ---\$
Total ---\$

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE

**FELONY WARRANT
(and AUTHORIZATION FOR EXTRADITION)**

32

CRIME(S)
First Degree Intentional Homicide, Party to a Crime

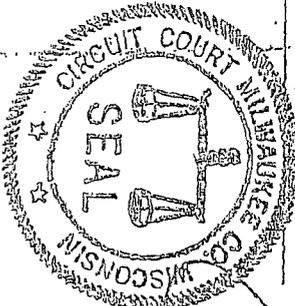
STATUTE(S) VIOLATED
940.01(1), 939105

COMPLAINING WITNESS
Johnson, Louis

THE STATE OF WISCONSIN TO ANY LAW ENFORCEMENT OFFICER:

A Complaint, copy of which is attached, having been filed with me, accusing the Defendant committing the above stated crime(s) contrary to the above stated statutory section(s) of the Statutes, I find that probable cause exists that the crime(s) was/were committed by the Defendant. You are, therefore, commanded to arrest and bring the named Defendant(s) before a presiding Judge of the Circuit Court, Criminal Division of Milwaukee County, or, if he is not available, acting Judge of the Circuit Court, Criminal Division of said County.

Dated December 6, 1996



[Signature]
Court Commissioner as Judge

APPENDIX

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

STATE OF WISCONSIN, Plaintiff(s)

INFORMATION

Page 1

vs

CONVICTING OFFENSE

RAFEAL D. NEWSON
3256A North Palmer Street
Milwaukee, WI 53212

032577

Johnson, Louis

CASE NUMBER

Defendant(s)

00 CF 004309

I, E. MICHAEL MC CANN, DISTRICT ATTORNEY FOR MILWAUKEE COUNTY, WISCONSIN, HEREBY INFORM THE COURT THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN,

FIRST DEGREE INTENTIONAL HOMICIDE, PARTY TO A CRIME

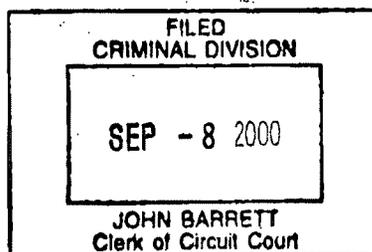
On November 23, 1996, at 2904 North 21st Street, City of Milwaukee, as a party to a crime, did cause the death of another human being, Terrance Maclin, with intent to kill that person, contrary to Wisconsin Statutes sections 940.01(1) and 939.05.

DATED

E. MICHAEL MC CANN
DISTRICT ATTORNEY

Sept. 9, 2000

Mark William
DEPUTY/ASST. DISTRICT ATTORNEY



33

RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

CINDY J. WINTERS
DEPUTY COUNTY ATTORNEY
BAR ID #: 009358
MCAO Firm #: 00032000
Administration Building
301 W Jefferson St Ste 800
Phoenix, AZ 85003-2143
Telephone: 602 372-7350
Attorney for Plaintiff

~~(EXHIBIT #4)~~ 99 MAR 26 PM 4:22
~~(EX: 2)~~
EXHIBIT #6 1 OF 3
P 1 OF 3
~~(EX: 3)~~ ~~(EX: 6)~~

QUADRANT B

DR. 90-447775 PHOENIX PD

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

~~(EX: 11)~~

STATE OF ARIZONA,

) NO. CR99-04319

Plaintiff,

) 231 GJ 325

vs.

) INDICTMENT

MARQUIS L. JOHNSON,

) COUNT 1: DRIVE BY SHOOTING,

) A CLASS 2 FELONY

Defendant.

) COUNT 2: AGGRAVATED ASSAULT,

) A CLASS 3 FELONY

) COUNT 3: AGGRAVATED ASSAULT,

) A CLASS 3 FELONY

) COUNT 4: ENDANGERMENT,

) A CLASS 6 FELONY

) COUNT 5: ENDANGERMENT,

) A CLASS 6 FELONY

) COUNT 6: ENDANGERMENT,

) A CLASS 6 FELONY

) COUNT 7: UNLAWFUL FLIGHT FROM

) LAW ENFORCEMENT VEHICLE,

) A CLASS 5 FELONY

The Grand Jurors of Maricopa County, Arizona, accuse MARQUIS L.

JOHNSON, on this 26TH DAY OF MARCH, 1999, charging that in Maricopa

County, Arizona:

~~APPENDIX J~~
1 OF 3

34

PACKET CONTAINING REQUESTS TO VARIOUS ENTITIES SEEKING ALL MILWAUKEE COUNTY JUDICIAL CIRCUIT COURT COMMISSIONERS FROM 1996:

- 7-29-2010 - FREEDOM OF INFORMATION ACT (VAUGHN REQUEST)
- 9-20-2010 - LETTER FROM MILWAUKEE COUNTY CLERK OF CIRCUIT COURT
- 10-11-2010 - LETTER FROM MILWAUKEE COUNTY CLERK OF CIRCUIT COURT
- 11-9-2010 - LETTER FROM MILWAUKEE COUNTY CLERK OF CIRCUIT COURT
- 3-11-2011 - LETTER TO WISCONSIN SECRETARY OF STATE
- 3-11-2011 - LETTER TO THE MILWAUKEE COUNTY HUMAN RESOURCES
- 3-14-2011 - ORDER, FOR MOTION FOR POSTCONVICTION DISCOVERY TO THE WISCONSIN COURT OF APPEALS
- 3-30-2011 - ORDER, FOR MOTION FOR POSTCONVICTION DISCOVERY TO THE CIRCUIT COURT OF MILWAUKEE COUNTY
- 4-11-2011 - LETTER TO LT. GOVERNOR REBECCA KLEEFISCH
- 4-12-2011 - LETTER FROM STATE OF WISCONSIN JUDICIAL COMMISSION
- 4-27-2011 - LETTER FROM WISCONSIN DEPARTMENT OF ADMINISTRATION

35

[ORIGINAL ONE OF TWO HANDWRITTEN COPIES]

STATE OF WISCONSIN, CITY OF MILWAUKEE
CIRCUIT COURT
CRIMINAL DIVISION

~~EX-3~~

COPY (EX-11)
(EX-1)

IN THE MATTER UNDER THE
FREEDOM OF INFORMATION ACT CASE No. 00CF004309
PERTAINING TO LEGITIMATE

DOCUMENTS AND RECORDS UNDER ASSIGNED TO HONORABLE JOHN J. DIMOTTO
THE CONTROL OF MILWAUKEE COUNTY | BRANCH 41

FREEDOM OF INFORMATION ACT (VAUGHN REQUEST)

THE DEFENDANT RAFAEL NEWSON AKA MARQUIS JOHNSON CONCERNING
HIS CASE ABOVE REQUEST UNDER THE FREEDOM OF INFORMATION ACT
THE IDENTITY AND LEGIBLE SIGNATURE DOCUMENTATION/RECORD OF THE
MILWAUKEE COUNTY CIRCUIT COURT COMMISSIONER/JUDGE WHO SIGNED
THE FELDNY ARREST WARRANT (AND AUTHORIZATION FOR EXTRADITION)
FOR FIRST DEGREE INTENTIONAL HOMICIDE:

WHEN: DECEMBER 6, 1996;

WHERE: MILWAUKEE COUNTY, SUBMITTED BY ASSISTANT DISTRICT ATTORNEY
ROBERT E. KRARMIRE;

WHY: DEFENDANT NEEDS DOCUMENTATION/RECORD OF THE ABOVE IDENTITY
AND LEGAL SIGNATURE OF SAID COMMISSIONER/JUDGE OF MIL-
WAUKEE COUNTY CIRCUIT COURT FOR MULTIPLE LITIGATION PURPOSES,
i.e.; DISCOVERY, AND FOR CONFIRMATION OF A FACT IN THE MATTER.
THE MILWAUKEE COUNTY CLERK'S OFFICE AND MILWAUKEE COUNTY

36

DISTRICT ATTORNEY'S OFFICE FAILED TO PROVIDE THIS CRITICAL INFORMATION.

DATED AND SUBMITTED THIS 29TH DAY OF JULY, 2010.

BY: Rafeal Newson AKA MARQUIS JOHNSON,
RAFEAL NEWSON, PRO PER DEFENDANT

MAILING ADDRESS FOR RETURN:

RAFEAL NEWSON (AKA) MARQUIS JOHNSON

#149257

LEWIS
A.S.P.C. - TUGSON
MOREY
RINCON UNIT 4B-2

P.O. BOX 3300 24403
BUCKEYE 85326
TUGSON, AZ 85734-4403

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CLERK OF CIRCUIT COURT
CRIMINAL DIVISION

~~EXHIBIT #10~~

Milwaukee County

JOHN BARRETT - Clerk of Circuit Court/Register in Probate

TAMMY KRUCZYNSKI
Administrator
JAMES WILSON
Assistant Administrator
THOMAS N. OELSTROM
Accountant
JUNE SIMETH
Staff Attorney
MICHAEL GROSSMAN
Staff Attorney

September 20, 2010

Mr. Rafael Newson # 149257
Arizona State Prison Complex-Tucson
10006 S. Wilmot Road
Tucson, AZ 85734-4403

~~EXHIBIT #10~~

Re: Case Number(s) 00CF4309

Dear Mr. Newson:

Your request for file documents was been received. Pursuant to sec. 19.35(3), Wis. Stats., the clerk's office may charge a fee for copying file documents. That fee is \$1.25 per page. The document(s) you have requested consist of _____ pages and will cost _____ (excluding transcripts see below). Please send a check or money order payable to the Clerk of Court. If you request to have the copies faxed to you, there will be an additional \$5.00 fax fee. **NOTE: Documents will NOT be faxed to institutions.**

The documents you have requested are not contained in the court file.

Other: The court record/docket is eleven (11) pages and will cost \$13.75. Anyone may access and print the court record/docket on the Internet free of charge. The Internet site is www.wicourts.gov
I do not find a copy of the arrest warrant in your court file. I do not have a list of judges from 1996.

By:
Sally S.

for
John Barrett,
Clerk of Circuit Court/
Director of Court Services/
Register in Probate

38



CLERK OF CIRCUIT COURT
CRIMINAL DIVISION

Milwaukee County

JOHN BARRETT • Clerk of Circuit Court/Register in Probate

TAMMY KRUCZYNSKI
Administrator

JAMES WILSON
Assistant Administrator

THOMAS N. OELSTROM
Accountant

JUNE SIMETH
Staff Attorney

MICHAEL GROSSMAN
Staff Attorney

October 11, 2010

Mr. Rafael Newson # 149257
a/k/a Marquis Johnson
Arizona State Prison
P. O. Box 3300
Buckeye, AZ 85326

Re: Case Number(s) 00CF4309

Dear Mr. Newson:

Your request for file documents has been received. Pursuant to sec. 19.35(3), Wis. Stats., the clerk's office may charge a fee for copying file documents. That fee is \$1.25 per page. The document(s) you have requested consist of _____ pages and will cost _____ (excluding transcripts see below). Please send a check or money order payable to the Clerk of Court. If you request to have the copies faxed to you, there will be an additional \$5.00 fax fee. **NOTE: Documents will NOT be faxed to institutions.**

The documents you have requested are not contained in the court file.

Other: After rechecking your file, A Felony Warrant (and Authorization for Extradition) was filed on December 6, 1996. A copy of this warrant will cost \$1.25. The Initial appearance was handled by Court Commissioner Frank Liska on August 29, 2000. Court Commissioner Frank Liska is no longer working here. The criminal complaint is signed by the District Attorney's Office. The list of Judges that handled your case is listed on the court record. A Judge is assigned to your case when you file a postconviction motion. A Judge is not assigned to a case prior to the postconviction motion being filed. Please contact the Chief Judge's Office, 901 North 9th Street, Milwaukee, WI 53233, for a list of 1996 Judges.

By:
Sally S.
Sally S.
for
John Barrett
Clerk of Circuit Court/
Register in Probate

39



CLERK OF CIRCUIT COURT
CRIMINAL DIVISION

Milwaukee County

JOHN BARRETT • Clerk of Circuit Court/Register in Probate

TAMMY KRUCZYNSKI
Administrator

JAMES WILSON
Assistant Administrator

THOMAS N. OELSTROM
Accountant

JUNE SIMETH
Staff Attorney

MICHAEL GROSSMAN
Staff Attorney

November 9, 2010

Mr. Rafeal Newson # 149257
Arizona State Prison
P. O. Box 3300
Buckeye, AZ 85326

(Handwritten signature)
(PAGE 1 OF 2)

Re: Case Number(s) 00CF4309

Dear Mr. Newson:

- Your request for file documents has been received. Pursuant to sec. 19.35(3), Wis. Stats., the clerk's office may charge a fee for copying file documents. That fee is \$1.25 per page. The document(s) you have requested consist of _____ pages and will cost _____ (excluding transcripts see below). Please send a check or money order payable to the Clerk of Court. If you request to have the copies faxed to you, there will be an additional \$5.00 fax fee. **NOTE: Documents will NOT be faxed to institutions.**
- The documents you have requested are not contained in the court file.
- Other: I am not sure who signed your felony warrant in 1996. We are unable to read the signature on the warrant. You may obtain a copy of the felony warrant for \$1.25. Enclosed please find page 1 of the court record showing your case was assigned to Judge Kitty Brennan (Line 1) and Commissioner Frank Liska did your initial appearance (Line 3).

By:
Sally S.

Sally S.

for
John Barrett,
Clerk of Circuit Court/
Director of Court Services/
Register in Probate

40

Wisconsin Circuit Court Access (WCCA)
State vs Rafeal D Newson

PAGE 20 OF 21

Milwaukee County Case Number 2000CF004309
Court Record Events

Table with columns: Date, Event, Court Official, Court Reporter. Includes rows for events like 'Complaint filed', 'Initial appearance', 'Cash bond set', 'Waiver of preliminary hearing', etc.

MARQUIS JOHNSON (AKA) RAFAEL NEWSON #149857
ARIZONA STATE PRISON COMPLEX - LEWIS
MOREY UNIT 2-D-4 ; P.O. BOX 3300
BUCKEYE, ARIZONA 85326

MARCH 11th, 2011

TO: DOUG LA FOLLETTE

THE OFFICE OF THE SECRETARY OF STATE

P.O. BOX 7848

MADISON, WI 53707-7848

DEAR MR. FOLLETTE OR MR. LAFOLLETTE:

HELLO! I AM WRITING BECAUSE I HAVE A COUPLE LEGAL DOCUMENTS WITH SIGNATURES OF A CIRCUIT COURT COMMISSIONERS FROM MILWAUKEE COUNTY. THE PROBLEM IS I NEED THE SIGNATURES AUTHENTICATED. CAN YOU SEND ME THE AUTHENTICATED SIGNATURES OF THE SEVERAL MILWAUKEE COUNTY CIRCUIT COURT COMMISSIONERS BELOW?

- | | |
|--------------------------|----------------------|
| 1.) DENNIS CIMPL | 5.) ANTHONY J. MACHI |
| 2.) GEORGE W. GREENE JR. | 6.) ARLEEN MICHOR |
| 3.) STEPHEN JACOBS | 7.) JOHN J. VALENTI |
| 4.) FRANK J. LISKA JR. | 8.) AUDREY Y. BROOKS |

THANK YOU FOR YOUR TIME AND CONSIDERATION IN THIS MATTER!

SINCERELY,

Marquis Johnson

47

MARQUIS JOHNSON (AKA) RAFAEL NEWSON #149257
ARIZONA STATE PRISON COMPLEX - LEWIS
MOREY UNIT 2-D.4 , P.O. BOX 3300
BUCKEYE, ARIZONA 85326

MARCH 11th, 2011

TO: MILWAUKEE COUNTY HUMAN RESOURCE
901 N. 9th STREET # 210
MILWAUKEE, WI 53233

DEAR HUMAN RESOURCE:

HELLO! I AM WRITING BECAUSE I HAVE ACOUPLE LEGAL DOCUMENTS WITH SIGNATURES OF CIRCUIT COURT COMMISSIONERS FROM MILWAUKEE COUNTY. THE PROBLEM IS I NEED THE SIGNATURES AUTHENTICATED AS SOON AS POSSIBLE. CAN YOU SEND ME THE AUTHENTICATED SIGNATURES OF THE SEVERAL MILWAUKEE COUNTY CIRCUIT COURT COMMISSIONERS BELOW?

- 1.) DENNIS CIMPL
- 2.) GEORGE W. GREENE JR.
- 3.) STEPHEN JACOBS
- 4.) FRANK J. LISKA JR.
- 5.) ANTHONY J. MACHI
- 6.) ARLEEN MICHOR
- 7.) JOHN J. VALENTI
- 8.) AUDREY Y. BROOKS

THANK YOU FOR YOUR TIME AND CONSIDERATION IN THIS MATTER!

SINCERELY,
Marquis Johnson

43



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

Facsimile (608) 267-0640

Web Site: www.wicourts.gov

DISTRICT I

(APPENDIX A)

March 14, 2011

To:

Karen A. Loebel
 Asst. District Attorney
 821 W. State St.
 Milwaukee, WI 53233

Gregory M. Weber
 Assistant Attorney General
 P.O. Box 7857
 Madison, WI 53707-7857

Rafeal D. Newson 149257
 A.S.P.C. - Lewis, Morey Unit 1-A-20
 P.O. Box 3300
 Buckeye, AZ 85326

You are hereby notified that the Court has entered the following order:

2010AP2714

State of Wisconsin v. Rafeal D. Newson (L.C. #2000CF4309)

Before Curley, P.J.

Rafeal D. Newson, *pro se*, has submitted a request for postconviction discovery, apparently seeking to discover the signatures of several individuals who were court commissioners in 1996 so that he can attempt to discern the person who signed his original arrest warrant. However, a motion for postconviction discovery is properly directed to the circuit court. See *State v. O'Brien*, 223 Wis. 2d 303, 321-22, 572 N.W.2d 870 (1999); see also *State v. Kletzien*, 2008 WI App 182, ¶8, 314 Wis. 2d 750, 762 N.W.2d 788 (“Whether to grant a motion requesting postconviction discovery is committed to the trial court’s discretion.”)

Therefore,

IT IS ORDERED that Newson’s motion for postconviction discovery is denied.

A. John Voelker
 Acting Clerk of Court of Appeals

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COPY

STATE OF WISCONSIN

CIRCUIT COURT
Branch 27

MILWAUKEE COUNTY

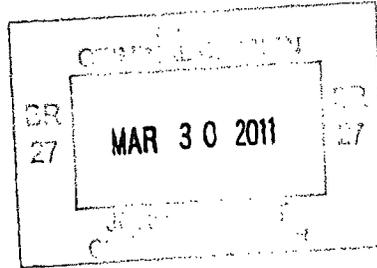
STATE OF WISCONSIN,

Plaintiff,

vs.

RAFEAL D. NEWSON,

Defendant.



Case No. 00CF004309

**DECISION AND ORDER
DENYING MOTION FOR POSTCONVICTION DISCOVERY**

On March 29, 2011, the defendant filed a *pro se* motion for postconviction discovery in the above case. His case is currently pending review in the Court of Appeals, and this court is without the record and without jurisdiction.

The defendant seeks information about the identity of the court commissioner or judge who signed the felony arrest warrant in 1996 so that he can challenge his arrest. The defendant has filed multiple motions in this case, and he is currently appealing this court's denial of his motion for an evidentiary hearing and 974.06 motion for postconviction relief, which the court found was barred by *State v. Escalona-Naranjo*, 185 Wis.2d 169, 178 (1994). Even if the defendant's case was not pending in the Court of Appeals, this court would not entertain his current motion for postconviction discovery. A challenge to his arrest would be barred by *Escalona, supra*.

THEREFORE, IT IS HEREBY ORDERED that the defendant's motion for postconviction discovery is **DENIED**.

Dated this 30 day of March, 2011, at Milwaukee, Wisconsin.

BY THE COURT:

**Kevin E. Martens
Circuit Court Judge**



45

MARQUIS JOHNSON (AKA) RAFAEL NEWSON #149257
ARIZONA STATE PRISON COMPLEX - LEWIS
MOREY UNIT 2-D-4; P.O. BOX 3306
BUCKEYE, AZ, 85326

APRIL 11th, 2011

TO: REBECCA KLEEFISCH (LEUTINENT GOVERNOR)

19 E. STATE CAPITOL; P.O. BOX 2043

MADISON, WI 53702

DEAR LT. GOVERNOR KLEEFISCH:

HELLO! I AM WRITING BECAUSE I HAVE A COUPLE LEGAL DOCUMENTS WITH AN ALLEGED FRAUDULENT SIGNATURE OF CIRCUIT COURT COMMISSIONER FROM MILWAUKEE COUNTY. THE PROBLEM IS I NEED THE SIGNATURE AUTHENTICATED, AND THE WISCONSIN JUDICIAL COMMISSION AND MILWAUKEE COUNTY HUMAN RESOURCE NEVER REPLIED. MR. DOUG LAFOLLETTE'S SECRETARY OF STATE OFFICE SAID, "THEY DID NOT HOLD FILES OF THOSE SIGNATURES." CHIEF JUDGE OF THE STATE OF WISCONSIN, FIRST JUDICIAL DISTRICT, MILWAUKEE COUNTY REPLIED, "THE COMMISSIONERS/JUDGES ARE NOT EMPLOYED BY MILWAUKEE COUNTY... THEY ARE ELECTED OFFICIALS... [THAT I SHOULD] CONTACT MADISON FOR FURTHER INFORMATION ABOUT THE COMMISSIONERS/JUDGES." CAN YOU ASSIST ME WITH THE SIGNATURES OF THE CIRCUIT COURT COMMISSIONERS LISTED BELOW?

- 1.) DENNIS CIMPL
- 2.) GEORGE W. GREENE JR.
- 3.) STEPHEN JACOBS
- 4.) FRANK J. LISKA JR.
- 5.) ANTHONY J. MACHI
- 6.) ARLEEN MICHOR
- 7.) JOHN J. VALENTI
- 8.) AUDREY Y. BROOKS

THANK YOU FOR YOUR TIME AND CONSIDERATION IN THIS MATTER!

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SINCERELY,
Marquis Johnson

STATE OF WISCONSIN
JUDICIAL COMMISSION



Suite 700, Tenney Building
110 East Main Street
Madison, Wisconsin 53703-3328

James C. Alexander
Executive Director

Phone: (608) 266-7637
Fax: (608) 266-8647

April 12, 2011

CONFIDENTIAL

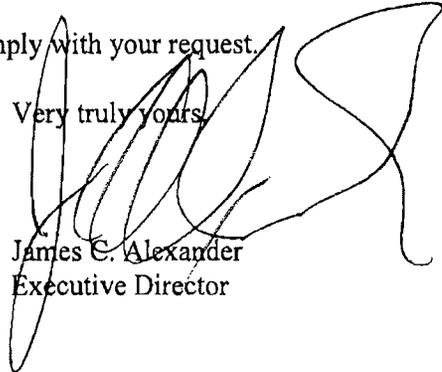
Marquis Johnson, #149257
a/k/a Rafeal Newson
Arizona State Prison Complex-Lewis
P.O. Box 3300
Buckeye, Arizona 85326

Dear Mr. Johnson:

The Judicial Commission received a letter from you asking the Judicial Commission to send you authenticated signatures of several Milwaukee County Court Commissioners. The Judicial Commission investigates and prosecutes judges for judicial misconduct. It has no authority or ability to authenticate signatures of Milwaukee County Commissioners or any one else.

Therefore, the Commission is unable to comply with your request.

Very truly yours,


James C. Alexander
Executive Director

JCA/lb

47



WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR
MIKE HUEBSCH
SECRETARY

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842

April 27, 2011

Marquis Johnson
a.k.a Rafeal Newson #149257
Arizona State Prison Complex-Lewis
P.O. Box 3300
Buckeye, AZ 85326

Dear Mr. Johnson:

This is in response to your April 11, 2011, letter to the Wisconsin Department of Administration requesting assistance authenticating the signatures of various Milwaukee County Court Commissioners.

The Department of Administration cannot assist you with this matter.

Sincerely,

Mark Saunders
Deputy Legal Counsel

48

WISCONSIN IS OPEN FOR BUSINESS
Wisconsin.gov

PACKET CONTAINING VARIOUS ITEMS
OF DISCOVERY CONCERNING
ALL MILWAUKEE COUNTY JUDICIAL
CIRCUIT COURT COMMISSIONERS
FROM 1996:

- PETITIONER'S AFFIDAVIT
- JUDICIAL CIRCUIT COURT COMMISSIONER
JOHN VALENTI'S SIGNATURE ON
COURT PLEADINGS / ORDERS
- JUDICIAL CIRCUIT COURT COMMISSIONER
ARLEEN MICHOR'S SIGNATURE ON
COURT PLEADINGS / ORDERS
- JUDICIAL CIRCUIT COURT COMMISSIONER
AUDREY Y. BROOKS' SIGNATURE ON
COURT PLEADINGS / ORDER
- WISCONSIN LEGAL DIRECTORY OF 1996

49

AFFIDAVIT

(EX-5)

I, Rafael Arson (AKA) MARQUIS JOHNSON, CERTIFY AND DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

1) I AM TRYING TO DISCOVER THE SIGNATURES OF THE FOLLOWING MILWAUKEE COUNTY CIRCUIT COURT COMMISSIONERS; FROM 1996*(ENCLOSED): ~~THE~~

- 1. DENNIS CIMPL
- 2. GEORGE W. GREENE JR.
- 3. STEPHEN JACOBS
- 4. FRANK J. LISKA JR.
- 5. ANTHONY J. MACHI
- 6. ARLEEN MICHOR (~~SIGNATURES AT 2A~~)
- 7. JOHN J. VALENTI (~~SIGNATURES AT 1A~~)
- 8. AUDREY Y. BROOKS (~~SIGNATURES AT 3A~~)

*THE WISCONSIN LEGAL DIRECTORY OF 1996 SHOW ALL JUDICIAL COURT COMMISSIONERS ABOVE!

2) I DID NOT KNOW ABOUT THIS MATERIAL, NOR ISSUE AT OR BEFORE TRIAL, NONETHELESS DURING APPEAL, BECAUSE I HAD RELIED ON MY ATTORNEYS, I AM 2,500 MILES AWAY FROM WISCONSIN IN ARIZONA D.O.C. WITH NO LAW LIBRARY, I HAVE RARE RESOURCES FROM THE OUTSIDE, AND WAS DENIED ANY FURTHER LEGAL ASSISTANCE BY THE CIRCUIT COURT.

STATE OF ARIZONA
COUNTY OF MARICOPA
Subscribed and sworn before me this 28
day of FEBRUARY, 2011, by
NOTARY PUBLIC

Steven M. Latta

Rafael Arson (AKA) Marquis Johnson

AFFIANT SAYS NOT

50



6233270081

ASPC LEWIS MOREY AD

STATE OF WISCONSIN

MILWAUKEE COUNTY

CIRCUIT COURT

THE STATE OF WISCONSIN, Plaintiff,

Fareal Newson AKA Rafael

Defendant(s).

Case Number F-952540

941.30(2) 2^o RES

ORDER TO PRODUCE DEFENDANT

WHEREAS the above entitled action is coming up for Bail Motion

_____ on

February 19, 1996 and the above-named defendant is now imprisoned in the

Waupun Correctional Institution, and must be present for said action.

NOW THEREFORE, IT IS ORDERED THAT Gary McCaughtry,

or any other superintendent who has physical custody of the named inmate,

make available to the Sheriff of Milwaukee County the above-named defendant and that the Sheriff of Milwaukee

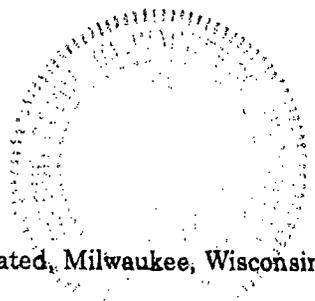
County convey her/him to Milwaukee for proceedings in Branch 21

of the Circuit Court of Milwaukee County, the Honorable Stanley Miller

Judge, presiding on February 19, 1996 at 8:30 am.

IT IS FURTHER ORDERED that after the conclusion of this and all related proceedings the Sheriff of Milwaukee County either: (1) return the above-named defendant to the institution of pick-up; (2) release the defendant if the institution from which s/he has been conveyed no longer may confine her/him; or (3) otherwise follow the order of the court.

Dated, Milwaukee, Wisconsin February 12, 1996



ASPC LEWIS MOREY AD

3113 RB

[Handwritten Signature]
Court Commissioner

51

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

34

I hereby certify that on the 16 day of February, 1996 at A M. by virtue of the within ORDER TO PRODUCE DEFENDANT OR WITNESS

I did proceed to WAUPUN CORRECTIONAL INSTITUTION at WAUPUN, Wisconsin, and did then and there serve

the within ORDER TO PRODUCE on GARY MCNAUGHTRY SUPERINTENDENT

by delivering and leaving with HIM personally, a true copy thereof, and at the same time I exhibited to HIM the

original ~~copy~~ with the signature of the Honorable John Valenti a CIRCUIT COURT COMMISSIONER Judge of Milwaukee County, who signed the same.

I further certify that I did then and there take the within named Fareal Newson

into custody and returned HIM to the CRIMINAL JUSTICE FACILITY of Milwaukee County and is now confined there.

THIS SECTION FOR SHERIFF'S DEPARTMENT USE ONLY	
Service \$	20.00
Travel \$	96.60
Attendance	
Total \$	116.60

Dated Friday Feb. 16, 1996
RICHARD E. ARTISON Sheriff
Per [Signature]
Badge # 183, Dist. # DSB, Sector

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

I hereby certify that on the 21 day of FEB, 1996 at A M. I returned the within named FAREAL NEWSON

unto the custody of GARY MCNAUGHTRY SUPERINTENDENT of WAUPUN CORRECTIONAL INSTITUTION at WAUPUN, Wisconsin,

and I received a receipt from him.

THIS SECTION FOR SHERIFF'S DEPARTMENT USE ONLY	
Service \$	
Travel \$	96.60
Attendance	
Total \$	96.60
TOTAL FEES \$ 213.20	

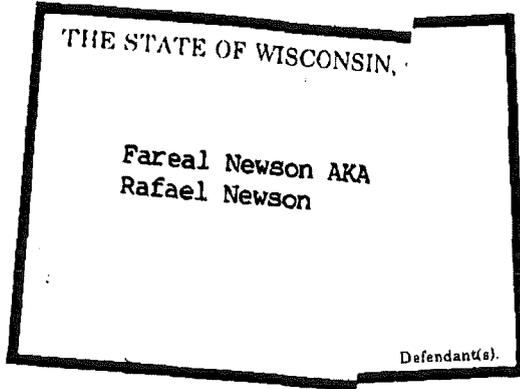
Dated 21 FEB, 1996
ROBERT KLIESMET Sheriff
RICHARD E. ARTISON
Per V. CHMIELEWSKI Deputy Sheriff
Badge # 724, Dist. # DSB, Sector

52

STATE OF WISCONSIN

MILWAUKEE COUNTY

CIRCUIT COURT



Case Number F-952540

941.30(2) 2^o RES

ORDER TO PRODUCE DEFENDANT

WHEREAS the above ~~er~~ed action is coming up for Jury Trial on

April 17, 1996

and the above-named defendant is now imprisoned in the Waupun Correctional Institution, and must be present for said action.

NOW THEREFORE, IT IS ORDERED THAT Gary McCaughtry,

or any other superintendent who has physical custody of the named inmate,

make available to the Sheriff of Milwaukee County the above-named defendant and that the Sheriff of Milwaukee

County convey her/him to Milwaukee for proceedings in Branch 21

of the Circuit Court of Milwaukee County, the Honorable Stanley Miller

Judge, presiding on April 17, 1996 at 8:30 am.

IT IS FURTHER ORDERED that after the conclusion of this and all related proceedings the Sheriff of Milwaukee County either: (1) return the above-named defendant to the institution of pick-up; (2) release the defendant if the institution from which s/he has been conveyed no longer may confine her/him; or (3) otherwise follow the order of the court.

Dated, Milwaukee, Wisconsin April 10, 1996

(53)

Court Commissioner

1D

STATE OF WISCONSIN

MILWAUKEE COUNTY

CIRCUIT COURT

THE STATE OF WISCONSIN, Plaintiff.

Rafael Newson AKA Fareal
Newson

Defendant(s).

Case Number F-952540

941.30(2) 2^o RES

ORDER TO PRODUCE DEFENDANT

WHEREAS the above entitled action is coming up for Jury Trial

_____ on

April 3, 1996 and the above-named defendant is now imprisoned in the

Waupun Correctional Institution, and must be present for said action.

NOW THEREFORE, IT IS ORDERED THAT Gary McCaughtry,

or any other superintendent who has physical custody of the named inmate,

make available to the Sheriff of Milwaukee County the above-named defendant and that the Sheriff of Milwaukee

County convey her/him to Milwaukee for proceedings in Branch 21

of the Circuit Court of Milwaukee County, the Honorable Stanley Miller

Judge, presiding on April 3, 1996 at 8:30 am.

IT IS FURTHER ORDERED that after the conclusion of this and all related proceedings the Sheriff of Milwaukee County either: (1) return the above-named defendant to the institution of pick-up; (2) release the defendant if the institution from which s/he has been conveyed no longer may confine her/him; or (3) otherwise follow the order of the court.



Dated, Milwaukee, Wisconsin March 27, 1996

OFFICE OF DISTRICT ATTORNEY

3113 R8

54

Court Commissioner

2A

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

<p>THE STATE OF WISCONSIN, Plaintiff, vs. RAFEAL NEWSON Defendant(s)</p>
--

Case Number: 00CF004309

ORDER TO PRODUCE WITNESS

WHEREAS the above entitled action is coming up for a Jury Trial on **MARCH 6, 2001** and **MARQUIS NEWSON, DOB: 11/5/78**, a witness is now imprisoned in the **OAKHILL CORRECTIONAL INSTITUTION** and must be present for said action.

NOW THEREFORE, IT IS ORDERED that CATHERINE FARREY, or any other superintendent who has physical custody of the named inmate make available to the Sheriff of Milwaukee County the above-named witness and that the Sheriff of Milwaukee County convey him to Milwaukee for appearance in **Branch 6** of the Circuit Court of Milwaukee County, the Honorable Judge **KITTY BRENNAN**, presiding, 506 in the SAFETY BUILDING, 821 W STATE, Milwaukee, on MARCH 6, 2001 at 8:30 a.m., and for no other purpose.

IT IS FURTHER ORDERED that the Sheriff of Milwaukee County return the above-named witness at the conclusion thereof to the aforestated institution.

Dated at Milwaukee, Wisconsin, this 28 day of FEBRUARY, 2001.



Court Commissioner

55

STATE OF WISCONSIN

MILWAUKEE COUNTY

CIRCUIT COURT

THE STATE OF WISCONSIN, Plaintiff,

Fareal Newson AKA Rafeal

Defendant(s).

Case Number p-952540
941.30(2) 2^o RES

ORDER TO PRODUCE DEFENDANT

WHEREAS the above entitled action is coming up for Jury Trial

on January 22, 1996 and the above-named defendant is now imprisoned in the Dodge Correctional Institution, and must be present for said action.

NOW THEREFORE, IT IS ORDERED THAT Gordon Abrahamson,

or any other superintendent who has physical custody of the named inmate, make available to the Sheriff of Milwaukee County the above-named defendant and that the Sheriff of Milwaukee County convey her/him to Milwaukee for proceedings in Branch 21 of the Circuit Court of Milwaukee County, the Honorable Stanley Miller Judge, presiding on January 22, 1996 at 8:30 am.

IT IS FURTHER ORDERED that after the conclusion of this and all related proceedings the Sheriff of Milwaukee County either: (1) return the above-named defendant to the institution of pick-up; (2) release the defendant if the institution from which s/he has been conveyed no longer may confine her/him; or (3) otherwise follow the order of the court.



Dated, Milwaukee, Wisconsin January 18, 1996
BY THE OFFICE
OF DISTRICT ATTORNEY

56

Allen E. Weber

Court Commissioner

STATE OF WISCONSIN
MILWAUKEE COUNTY } ss.

34

2C

I hereby certify that on the 19 day of JAN, 1996 at 11 A.M. by virtue of the
within ORDER TO PRODUCE DEFENDANT OR WITNESS

I did proceed to DODGE CORRECTIONAL INSTITUTION
at WAUPUN, Wisconsin, and did then and there serve

the within ORDER TO PRODUCE
on GORDON ABRAHAMSON SUPERINTENDENT

by delivering and leaving with HIM
personally, a true copy thereof; and at the same time I exhibited to HIM the

original order with the signature of the Honorable ARLEEN MICHOR
a CIRCUIT COURT COMMISSIONER Judge of Milwaukee County, who signed the same.

I further certify that I did then and there take the within named FAREAL NEWSON

into custody and returned HIM to the CRIMINAL JUSTICE
FACILITY of Milwaukee County and is now confined there.

THIS SECTION FOR SHERIFF'S DEPARTMENT USE ONLY	
Service \$	<u>20.00</u>
Travel \$	<u>96.60</u>
Attendance	_____
Total	<u>\$116.60</u>

Dated 1-19, 1996
RICHARD E. ARTISON Sheriff
Per [Signature] Deputy Sheriff
Badge # 143, Dist. # DSB, Sector _____

STATE OF WISCONSIN
MILWAUKEE COUNTY } ss.

I hereby certify that on the 23 day of JAN, 1996 at _____ M. I returned the
within named FAREAL NEWSON

unto the custody of GORDON ABRAHAMSON SUPERINTENDENT
of DODGE CORRECTIONAL INSTITUTION at WAUPUN, Wisconsin,

and I received a receipt from him.

THIS SECTION FOR SHERIFF'S DEPARTMENT USE ONLY	
Service \$	_____
Travel \$	<u>96.60</u>
Attendance	_____
Total \$	<u>96.60</u>
TOTAL FEES \$ <u>213.20</u>	

Dated 1/23, 1996
RICHARD E. ARTISON KRIESMET Sheriff
Per [Signature] Deputy Sheriff (57)
Badge # 493, Dist. # _____, Sector _____

3A

STATE OF WISCONSIN CIRCUIT COURT
CRIMINAL DIVISION MILWAUKEE COUNTY

IN THE MATTER OF A SUBPOENA DUCES
TECUM FOR CERTAIN TELEPHONE RECORDS
UNDER THE CUSTODY AND CONTROL
OF AMERITECH

SUBPOENA DUCES TECUM

TO: Custodian of Records
Ameritech Security
722 North Broadway, 18th Floor
Milwaukee, WI 53202

YOU ARE HEREBY REQUIRED TO APPEAR on DEC. 17,
1996, at 8:30 a.m. before the Honorable Audrey Y. Brooks, Judicial Court
Commissioner, Milwaukee County, in Room 146-A of the Criminal Justice Facility, 949
North 9th Street, Milwaukee, Wisconsin, and to bring with you the following:

*RECORDS OF INCOMING AND OUTGOING PHONE CALLS FROM
(414) 588-0305 BETWEEN NOVEMBER 25, 1996 THRU
(include information desired here)
DECEMBER 11, 1996.*

IN LIEU OF APPEARING at the above time and place, you are hereby authorized, at
any time prior to the above date, to give these documents to Detective/Police Officer
LOUIS JOHNSON ^{OR HIS} ~~DESIGNEE~~ of the City of Milwaukee Police Department, or his
designee as an agent of the court.

Dated at Milwaukee, Wisconsin, this 17th day of December, 1996.

BY THE COURT:

Audrey Y. Brooks
Honorable Audrey Y. Brooks
Judicial Court Commissioner
Milwaukee County, Wisconsin

58

14

(4A)

~~(EX-5)~~

THE

~~(EX-19)~~
PAGE 106

WISCONSIN LEGAL DIRECTORY

1996

NOTE

92 COURT COMMISSIONERS LISTED
7 JUDICIAL COURT COMMISSIONERS LISTED
WITH AUTHORITY TO ISSUE ARREST WARRANTS
FOR ADULTS

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WISCONSIN STATE LAW LIBRARY

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~~EX 119~~
~~20FL6~~

112 Court Section

BRANCH 39 - CHILDREN'S DIV.
PRESIDING JUDGE Michael Malmstadt
17 Children's Court Center, 10201 Watertown Plank Road - Wauwatosa, WI 53225 (414) 257-4568,
FAX 454-4074
Court Reporter: Donna Richmond
Clerk: Sandra Ocepsek

BRANCH 40 - CIVIL DIV.
JUDGE Louise M. Tesmer
702 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-4488, FAX 223-1258
Court Reporter: Linda Matoska
Clerk: Sophie Burgos

BRANCH 41 - CIVIL/SMALL CLAIMS DIV.
JUDGE John J. DiMoffo
401 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-4368, FAX 223-1258
Court Reporters: Mary Hermann, Dava Siltora
Clerk: Lucy Listinsky

BRANCH 42 - FELONY DIV.
JUDGE David A. Hansher
632 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-5340, FAX 223-1284
Court Reporters: Joanne Allison, Beth Fringer
Clerk: Virginia Schumann

BRANCH 43 - FELONY DIV.
JUDGE Diane S. Sykes
315 Safety Bldg., 821 W. State St. - Milwaukee, WI 53233 (414) 278-4772, FAX 223-1262
Court Reporters: Barbara Bohl, Nancy Dosemagan, Mary Fovlick
Clerk: Lisa Skudlarczyk

BRANCH 44 - MISDEMEANOR DIV.
JUDGE Daniel L. Konkol
628 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-4775, FAX 223-1262
Court Reporters: Barb Schmid, Chris Zapf
Clerk: Diane Smolarek

BRANCH 45 - CHILDREN'S DIV.
JUDGE Daniel Noonan
(Term Begins August 1, 1996), 11 Children's Court Center, 10201 Watertown Plank Road - Wauwatosa, WI
53228 (414) 257-7166, FAX 454-4074
Court Reporter: Varonica Witherspoon
Clerk: Gwen Patterson

BRANCH 46 - MISDEMEANOR DIV.
JUDGE Bonnie L. Gordon
608 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-5153, FAX 223-1264
Court Reporters: Rhonda Slasko, Kim Basile
Clerk: Cheri Neilson

RESERVE JUDGE 208 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 278-4460
Clerk: Debbie Kuether

COURT COMMISSIONERS

- Thomas A. Bailey
705 E. Silver Spring Drive - Whitefish Bay, WI 53217 (414) 962-8200
- James A. Baxter
Suite 1650, 111 E. Wisconsin Ave. - Milwaukee, WI 53202-4957 (414) 276-5300
- Eduardo M. Borda
Suite 1908, 608 W. Wisconsin Ave. - Milwaukee, WI 53203 (414) 275-9937, FAX 276-9983
- Ronald Bornstein
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1124 W. Wells St. - Milwaukee, WI 53233 (414) 271-1717, FAX 271-2717
- Audrey Y. Brooks, Judicial
146A Criminal Justice Facility, 949 N. 9th St. - Milwaukee, WI 53233 (414) 278-4794
- Barbara L. Burbach
Suite 1275, 330 E. Kilbourn Ave. - Milwaukee, WI 53203 (414) 276-4080
- James P. Burns
6565 S. 75th St. - Milwaukee, WI 53220 (414) 421-8800

I NEED TO KNOW IF
CHIEF JUDGE
PATRICK T. SHEEDY
AUTHORIZED ANY OF THE
COURT COMMISSIONERS
FROM 1996 TO FILE
CRIMINAL COMPLAINTS &
OR ISSUE ARREST
WARRANTS?
GET SIGNATURES FROM
THE ONES WITH THE
AUTHORIZATION! (60)

Court Section 113

~~2K.19~~
~~30E6~~

- Edward R. Cameron
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- Jon P. Christiansen
777 E. Wisconsin Ave. - Milwaukee, WI 53202 (414) 289-3536
- Dennis Cimpl
137A Criminal Justice Facility, 949 N. 9th St. - Milwaukee, WI 53233 (414) 278-4502
- Dennis Cimpl, Judicial
400 Courthouse, 907 N. 9th St. - Milwaukee, WI 53233 (414) 278-5100
- Dennis P. Coffey
3127 W. Wisconsin Ave. - Milwaukee, WI 53208 (414) 344-5700
- Jeffrey Conen
633 W. Wisconsin Ave. - Milwaukee, WI 53203 (414) 278-1110
- Daniel J. Cook
16655 W. Bluemound Road - Brookfield, WI 53005 (414) 789-2158
- Dennis M. Cook
650 E. Mason St. - Milwaukee, WI 53202 (414) 291-7600
- David Cross
411 E. Wisconsin Ave. - Milwaukee, WI 53202 (414) 277-5000
- Thomas W. Cunningham
1749 N. Prospect Ave. - Milwaukee, WI 53202-1966 (414) 271-4655, FAX 271-0424
- Alan Deutch
Suite 925, 330 W. Kilbourn Ave. - Milwaukee, WI 53202 (414) 271-9958
- Jean W. DiMollo
7664 Overlook Drive - Greendale, WI 53129 (414) 423-8770
- Undsey D. Draper, Judicial
12 Children's Court Center, 10201 Watertown Plank Road - Wauwatosa, WI 53226 (414) 257-7740
- John D. Finerly
Suite 1250, 330 E. Kilbourn Ave. - Milwaukee, WI 53202-3145 (414) 271-0130
- Cira Fiorenza
3900 W. Brown Deer Road - Milwaukee, WI 53209-1201 (414) 955-3600
- Curry First
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- Matthew J. Flynn
411 E. Wisconsin Ave. - Milwaukee, WI 53202 (414) 277-5000
- Kurt A. Frank
Suite 1500, 633 W. Wisconsin Ave. - Milwaukee, WI 53203 (414) 277-0377
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3127 W. Wisconsin Ave. - Milwaukee, WI 53208 (414) 933-9595, FAX 933-5700
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- Susan A. Hansen
Suite 801, 230 W. Wells St. - Milwaukee, WI 53202 (414) 273-2422, FAX 273-3966

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~~EX-19~~
4076

114 Court Section

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Suite 1300, 633 W. Wisconsin Ave. - Milwaukee, WI 53203-1960 (414) 271-5420, FAX 272-4040
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- Greg Harman
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- Theodore J. Hodan
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- Barbara Holzmann
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- Stephen Jacobs, Judicial
1000 N. Water St. - Milwaukee, WI 53202 (414) 288-1000
- Ronald J. Jaskolski
Rm. 108, 7635 W. Oklahoma Ave. - Milwaukee, WI 53219 (414) 321-5111
- Richard D. Kaestner
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- Emanuel T. Kroog
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- Robert J. Lerner
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- Anthony J. Macchi, Judicial
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- Maureen McGinnity
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- Michael J. Pfau
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- Nancy Phelps
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- Ernest J. Philipp
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- James J. Podell
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- Richard Podell
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- Louise A. Placek
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Court Section 115

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- Anna Willis Reed
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- Joseph Spance, Sr.
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- John I. Spindler
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- Michael J. Stehle
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- W. Timothy Steine
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- Robert E. Sutton
Suite 202, 1409 E. Capitol Drive - Milwaukee, WI 53211 (414) 961-0302, FAX 332-3962
- Sandy Swartzberg
5075 S. 78th St. - Milwaukee, WI 53220 (414) 282-4000
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- Henry A. Tessier
2816 S. Kinnickinnic Ave. - Milwaukee, WI 53207 (414) 744-8767
- John J. Valenti, Judicial
207 Safety Bldg., 621 W. State St. - Milwaukee, WI 53233 (414) 276-4794
- Procha Weaver Williams
1103 W. Wisconsin Ave. - Milwaukee, WI 53233 (414) 288-7035
- Roy W. Wilson
6131 W. Capitol Drive - Milwaukee, WI 53222 (414) 536-6309
- FAMILY COURT COMMISSIONERS**
- Michael J. Bruch, Asst.
707 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 276-5289
- Lucy C. Cooper, Asst.
707 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 276-4401
- Joseph D. Frenz, Asst.
707 Courthouse, 901 N. 9th St. - Milwaukee, WI 53233 (414) 276-4401

~~EX 19~~
5076

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EX-19
6 of 6

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WISCONSIN BLUE BOOK 1995 - 1996

Court Commissioners. Court commissioners serve the circuit court and must be attorneys licensed to practice law in Wisconsin. On their own authority, court commissioners can perform marriages, administer oaths, take depositions, issue subpoenas and certain writs, and transfer any matter to a court if it appears that justice would be better served by the transfer. With approval of the respective chief judges, circuit court judges may authorize court commissioners to conduct uncontested probate proceedings, hear petitions for mental health commitment, issue arrest warrants, set bail in criminal cases, impose monetary penalties in traffic cases, and perform various other duties.

The statutes require Milwaukee County to have full-time court commissioners to handle small claims, probate, and family court matters. Counties with smaller populations may have such commissioners if they meet statutory criteria. In any county, a circuit court judge may appoint one or more part-time court commissioners to conduct court business, and the county board may authorize the chief judge to appoint juvenile court commissioners.

JUDGES OF CIRCUIT COURT
May 1, 1995

Circuit ¹	Court Location	Judges	Term Expires July 31
Adams	Friesland	Duane H. Polivka	1997
Ashland	Ashland	Robert E. Emon	2000
Barron	Barron	James C. Eaton	1998
Branch 1	Barron	Edward R. Brunner	2000
Branch 2	Washburn	Thomas J. Gallagher ²	1995
Brown	Green Bay	Richard G. Greenwood	1997
Branch 1	Green Bay	Vivi Dilweg ¹	1995
Branch 2	Green Bay	Susan Bischof	1998
Branch 3	Green Bay	Donald J. Hansvay	1998
Branch 4	Green Bay	Peter Naze	1999
Branch 5	Green Bay	N. Patrick Crooks	1997
Branch 6	Green Bay	Richard I. Dietz ³	1995
Branch 7	Green Bay	William M. Atkinson	1997
Branch 8	Alma	Dane Marcy	1996
Buffalo-Papin	Stout	James H. Taylor	1997
Burnett	Chilton	Donald A. Poppy	1998
Calumet	Chippewa Falls	Roderick Cameron	1996
Chippewa	Chippewa Falls	Thomas J. Szemana ²	1995
Branch 1	Nellsville	Michael W. Brennan	1997
Branch 2	Portage	Daniel George	1997
Columbia	Portage	Lewis W. Charles	1999
Branch 1	Portage	Richard Rafan	1997
Branch 2	Frederic du Chien	Michael T. Kirilman ²	1995
Crawford	Madison	Robert DeChambeau	1999
Dane	Madison	Michael B. Torphy, Jr.	1999
Branch 1	Madison	F. Charles Jones ²	1995
Branch 2	Madison	John Aulik	1998
Branch 3	Madison	Robert R. Pckowsky	1996
Branch 4	Madison	Richard Callaway	1997
Branch 5	Madison	Moria Krueger	1997
Branch 6	Madison	Patrick J. Fiedler	2000
Branch 7	Madison	Patrick C. Niebel	2000
Branch 8	Madison	Angela B. Barrell	1997
Branch 9	Madison	Daniel R. Moser	1997
Branch 10	Madison	Mark A. Franklin	1997
Branch 11	Madison	Michael Nowakowski	1997
Branch 12	Madison	George Northrup	1997
Branch 13	Madison	Suzanne Schwartz	1998
Branch 14	Madison	Sarah O'Brien	1998
Branch 15	Madison	Paul Higginbotham	2000
Branch 16	JunEAU	Daniel Klossner	1996
Branch 17	JunEAU	John R. Storck ²	1995
Dodge	JunEAU	Andrew P. Bissonnette ²	1995
Door	Sturgeon Bay	John D. Koch	2000
Branch 1	Sturgeon Bay	Peter C. Ditz	2000

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ARIZONA'S DEPARTMENT
OF CORRECTIONS PROOF
OF NO LAW LIBRARY AND
INADEQUATE PARALEGAL
SERVICES

- DEPARTMENT/ ORDER: 902
- INMATE REQUEST FOR PARALEGAL ASSISTANCE

65

CHAPTER 900 - INMATE PROGRAMS AND SERVICES
DEPARTMENT ORDER 902 - INMATE LEGAL ACCESS TO THE COURTS

~~EXHIBIT 10~~

~~EXHIBIT 10~~

... (The forms packet as identified in Attachment B.)

→ 1.3
→ 1.4

Legal Research - No provision is made in this system for extensive, generalized legal research.

Inmate Legal Assistants and Law Clerks - There is no provision in this Department Order for an inmate legal assistance program. The Department shall take no affirmative steps to assist inmates helping other inmates with qualified legal claims. Inmates are prohibited from assisting other inmates with non-qualified legal claims.

1.5 Right to Retain Counsel - This system does not interfere with an inmate's right to retain counsel, to the extent that the inmate can afford counsel and is willing to pay for the services of an attorney.

1.5.1 Inmates may, of course, avail themselves of pro bono services of a court-appointed attorney.

1.5.2 Nothing in this system suggests that inmates may retain someone other than a licensed attorney for legal purposes.

1.6 Access to Legal Resources - All institutions shall provide access to the required legal resources. Smaller stand-alone units such as SACRC and Picacho may transport inmates to an institution that has the required legal resources, or shall provide storage areas for legal resources and materials in addition to the required work space, in accordance with the local Institution Order.

1.7 Approved Department Forms and Other Documentation - Staff and inmates shall only use the Department forms authorized by this Department Order to request services or report information about this legal access system. Any other forms are null and void. If additional forms are required, they shall be developed and approved only in accordance with Department Order #114, Forms Management System.

902.02 LEGAL RESOURCES AND ACCOMMODATIONS

1.1 The Legal Resources identified in Attachment A are presently available for inmate use.

1.1.1 Any additions or deletions to the legal texts and resource material identified in Attachment A shall be subject to the Director's approval.

1.2 All legal reference texts and manuals available for use by inmates shall be kept in the Reserve/Reference section of the Unit Library, under the control of designated staff, and shall be used only in the Unit Library, with the exception noted in section 902.02, 1.3.2 of this Department Order.

→ 1.2.1

Legal Resource Centers shall provide no legal resource material except for such material set forth in this Department Order.

~~APPENDIX 4~~

~~COVER~~ →

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00 902 - Inmate Legal Assistance to the Courts

LEGAL 7/1/10

1.3.3.2 No faxing shall be permitted beyond that described in section 902.04

1.3.3.3 The Paralegal shall determine whether the matter described involves a qualified legal claim.

1.4.1 If it is unclear whether the issue involves a qualified legal claim and/or the Paralegal determines a meeting is appropriate, the Paralegal shall request that Designated staff, in consultation with the Paralegal, schedule a meeting with the requesting inmate to resolve the issue(s).

1.4.2 If the request does not involve a qualified legal claim, the Paralegal shall not provide assistance and shall return the request for assistance to the inmate through designated staff. If possible, the Paralegal shall direct the inmate to where assistance for a non-qualified claim exists.

1.5 The Paralegal shall keep a copy of the request.

1.6 Designated staff shall work with security staff and the Paralegal in scheduling days and hours when the Paralegal is scheduled to meet with inmates, based upon inmate population, the volume of requests, quick access, court deadlines and appropriate attention to security issues.

1.7 Designated staff shall schedule an appointment, in consultation with the Paralegal, and notify both the Paralegal and the inmate by completing the appointment section of the Inmate Request for Paralegal Assistance and forwarding a notification copy to the inmate and to the Paralegal. Designated staff shall keep the file copy of the request and forward a copy to the Legal Access Monitor.

1.7.1 Turn-outs for scheduled Paralegal meetings shall not be suspended except when a legitimate security concern exists to do so.

1.8 Paralegals shall meet with inmates to provide necessary assistance with preparation of the initial pleading for filing. However, for Arizona inmates in other states who are serving sentences pursuant to Interstate Corrections Compact or concurrent custody agreements and who, in accordance with section 902.04, 1.11, request assistance with the preparation of an initial pleading, the contract Paralegal shall ensure that one copy of the appropriate sections of legal references, forms and instructions are mailed to the inmate. The mailings shall be made by Offender Services or Interstate Corrections Compact staff at the Prison Operations expense.

1.8.1 Paralegals shall not provide assistance beyond the initial filing stage. (See section 902.03, 1.2 for details concerning assistance provided by Paralegals.)

1.8.2 The Paralegal may authorize designated staff to copy documents in accordance with section 902.05 by completing the appropriate authorization requests.

1.8.3 The Paralegal may request additional meetings, as necessary. If additional meetings are required, designated staff shall schedule the meeting using a Paralegal Meeting Notification, Form 902-8P.

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6233270081

ASPC LEWIS MOREY AD

~~EXHIBIT~~ P. 4 OF 6

ARIZONA DEPARTMENT OF CORRECTIONS

Please PRINT information in all areas clearly. Use a PEN and PRESS FIRMLY

Inmate Request for Paralegal Assistance **2A23**

Inmate Name (Last, First M.I.) JOHNSON, MARQUIS	ADC Number 149257	Institution/Unit BUCKLEY, LEWIS
---	-----------------------------	---

Briefly describe your complaint: (Use a blank sheet of paper if additional room is needed.)

ACOUPL E WEEKS AGO I REQUEST ANNOTATED WISCONSIN STATUTES RELEVANT TO HOMICIDE/MURDER. I FURTHER REQUESTED FEDERAL SUPPLEMENTS PERTAIN TO HOMICIDE FROM VOLUME 300 TO RECENT UP-TO-DATE CASES. I AM ON MY APPEAL / POST-CONVICTION PROCEEDINGS IN WISCONSIN AND IF POSSIBLE CAN I PLEASE HAVE A SPEEDY RESPONSE! Per D.O. 902 D.O.C. does not provide Statutes from any states other than Arizona. **THANK YOU!**

Inmate Signature <i>Marquis Johnson</i>	Date 10.17.03
--	-------------------------

Designated Staff Name (Last, First M.I.) LATTO, S	Designated Staff Signature <i>S. Latto</i>	Date 17 Oct. 03
---	---	---------------------------

Paralegal Review

A meeting will be scheduled with a Paralegal.

Your complaint does not involve a qualified legal claim. You may pursue this issue in accordance with Department Order 902, Inmate Legal Access to the Courts, sections 902.01 and 902.02.

Unclear. A meeting will be scheduled with a paralegal to determine if assistance can be provided:

Paralegal's Name (Last, First M.I.) Michelle T	Paralegal's Signature <i>Michelle T</i>	Date 10/17/03
--	--	-------------------------

Your appointment with the Paralegal has been scheduled for 10/22/03 at _____, at _____ a.m/p.m in the _____

TIME

Please bring this authorization and all related documents to the meeting.

Designated Staff Name (Last, First M.I.)	Designated Staff Signature	Date 10/19
--	----------------------------	----------------------

Distribution: White - Library
 Canary - Inmate
 Blue - Legal Access Monitor
 Pink - Paralegal
 Green - Paralegal
 Goldenrod - Inmate

APPENDIX Z

902-1P
12/10/97

CITY OF MILWAUKEE
DETECTIVE LOUIS JOHNSON JR'S:

- 12-8-1996 - POLICE REPORT SUPPLEMENT

- 12-12-1996 - AFFIDAVIT

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~~(EX: 11)~~

PO-15B SUPPLEMENTARY REPORT		Date of Report	Incident/Accident #
MILWAUKEE POLICE DEPARTMENT		12-08-96	96-328-3108 (M3279)
INCIDENT		Date of Incident/Accident	Rep. Code #
HOMICIDE		11-23-96	
VICTIM		LOCATION OF INCIDENT	DIST
MACLIN, Terrance		2904 N. 21st St.	7
JUVENILE Last Name	First	Middle	Date of Birth
QUANT		TYPE OF PROPERTY	DESCRIPTION SERIAL # CODE # VALUE

On Friday, 12-06-96, I, Detective Louis JOHNSON, did go to the Milwaukee County District Attorney's Office, located at 821 W. State St., the Homicide Unit, regarding the above Homicide which was presented for an arrest warrant regarding a possible suspect to Assistant District Attorney Robert KRAEMER.

Upon reviewing this Homicide, A.D.A. KRAEMER did issue a felony arrest warrant for First Degree Intentional Homicide for the arrest of Rafeal Dashawn NEWSON, B/M, DOB: 03-25-77, 3256A N. Palmer St., I.D. No. 275124. At the present time we are seeking to locate and arrest the suspect, Rafeal D. NEWSON, who may possibly be driving a white, 4-door, Fleetwood Cadillac, unknown year.

Report dictated by: Detective Louis JOHNSON.

LJ/skv 12-09-96

REPORTING OFFICER	PAYROLL #	LOC. CODE	SUPERVISOR SIGNATURE
<i>Detective Louis Johnson</i> Detective Louis JOHNSON	55078	92	<i>Lt Vitale</i>

71

3279 / 1000 - 14 / 1000

M 3279

(EX:16)

CIRCUIT COURT
STATE OF WISCONSIN CRIMINAL DIVISION MILWAUKEE COUNTY

IN THE MATTER OF A SUBPOENA DUCES
TECUM FOR CERTAIN TELEPHONE RECORDS
UNDER THE CUSTODY AND CONTROL OF
AMERITECH CORPORATION

AFFIDAVIT

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

I, DET LOUIS JOHNSON, being first duly sworn on
oath, deposes and says that:

- 1) That I am a Detective/Police Officer for the City of Milwaukee Police Department, assigned to work in the Homicide Division;
- 2) Etc.

AFFIANT IS CURRENTLY INVESTIGATING PURSUANT TO
HIS DUTIES THE CRIME OF 1^o INTENTIONAL HOMICIDE
CONTRARY TO WIS. STATS., SEC. 940.01.

3) THIS OFFENSE OCCURRED ON SATURDAY, NOVEMBER 23, 1996
IN THE CITY AND COUNTY OF MILWAUKEE.

4) ON FRIDAY, DECEMBER 6, 1996 AS A RESULT OF THIS
HOMICIDE INVESTIGATION, A SUSPECT, RAFEAL O. NEWSON
WAS DEVELOPED AND A FELONY ARREST WARRANT FOR 1^o
INTENTIONAL HOMICIDE WAS ISSUED BY ADA ROBERT KRAEMER

5) ON WEDNESDAY, DECEMBER 11, 1996, YOUR AFFIANT WAS INFORMED
BY ABOVE SUSPECT'S FORMER GIRLFRIEND THAT SAID SUSPECT HAS
BEEN CALLING HER COLLECT TWO-THREE TIMES DAILY FROM AN UNKNOWN
LOCATION. THESE TELEPHONE CALLS HAVE BEEN PLACED TO (414) 578-83
SINCE NOVEMBER 25, 1996 THRU DECEMBER 11, 1996.

Dated at Milwaukee, Wisconsin, this 12th day of Dec., 1996.

6) POLICE HAVE BEEN UNABLE TO LOCATE
RAFEAL O. NEWSON OR DETERMINE
HIS CURRENT WHEREABOUTS,
AND THESE PHONE RECORDS WOULD
ASSIST THE POLICE IN LOCATING
RAFEAL O. NEWSON.

Det. Louis Johnson
Detective/Police Officer (Affiant)

Subscribed and sworn to before me
this 12th day of Dec., 1996.

Robert E. Kraemer
Notary Public, Milwaukee County
My commission is for term of _____

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3279, SEC 7

13

JB

STATE OF WISCONSIN
CIRCUIT COURT
CRIMINAL DIVISION
MILWAUKEE COUNTY

IN THE MATTER OF A SUBPOENA DUCES
TECUM FOR CERTAIN DOCUMENTS
UNDER THE CUSTODY AND CONTROL
OF AMERITECH

STATE'S REQUEST FOR A SUBPOENA FOR DOCUMENTS

Pursuant to section 968.135 Wis. Stats., the State of Wisconsin by its attorney,
Assistant District Attorney Robert E. Kramm, moves the Court for an
order issuing a Subpoena for Documents requiring the Custodian of Records for
Ameritech to produce the records specified in the attached subpoena.

For the reasons stated in the affidavit of Detective/Police Officer
LOUIS JOHNSON of the City of Milwaukee Police Department, the State
believes that probable cause exists for the Court to find that the documents named in
the affidavit may constitute evidence of the crime of 1st INTENTIONAL HOMICIDE in
violation of Chapter 940, Wis. Stats. In addition, the State requests the Court to find
that probable cause exists to believe that the documents named are now in the custody
and control of the Custodian of Records for Ameritech.

Dated at Milwaukee, Wisconsin this 17th day of Dec, 1996.

Robert E. Kramm
Assistant District Attorney
State Bar No.
01013381

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OTHER DOCUMENTS

- 12-14-2000 - AFFIDAVIT OF CHARLES HENNING'S
- 10-6-2003 - LETTER FROM APPELLATE COUNSEL
- 8-30-2010 - UNANSWERED COMPLAINT TO THE NATIONAL BAR ASSOCIATION CONCERNING PAUL MANLEY

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~~(EXHIBIT #23)~~

State of Wisconsin 12-14-2000
County of Milwaukee

~~(EXHIBIT #23)~~

I Charles Hennings being duly sworn upon
Oath and am otherwise competent to testify as to the facts
in this Affidavit.

On 12-05-96 I gave an untrue statement
to law enforcement as to the involvement of Rafael Newsom
in a crime committed 11-23-96. I was forced by law enforcement
and all statements I have given concerning Rafael Newsom
is untrue. Not only did I make this statement to myself
but to the witness who are the undersigned. I have not
been threatened or forced into making the above statement.

Under the penalty of perjury I declare
that I have examined the above statements made by
me, and to the best of my belief, each and all are true
and correct.

Curtis Hart #202115 #040931812 ^{MCJ}

Russell Warchol #223296

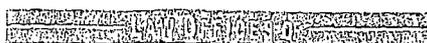
Charles Hennings

Denise Washington #136526 - Witnessed

77

6233270081

ASPC LEWIS MOREY AD



PAUL G. BONNESON

ATTORNEY AND COUNSELOR AT LAW
COURT COMMISSIONER

631 NORTH MAYFAIR ROAD • WAUWATOSA, WISCONSIN 53226

414.771.8723 • FAX: 414.774.4499

vettlaw@execpc.com



~~(EX-23)~~

~~(EXHIBIT #37)~~

~~(EX-35)~~

~~(EX-17)~~

October 6, 2003

~~EX-8~~

Mr. Marquis Johnson
a/k/a Rafeal Newson
No. 149257
ASPC—Lewis
Buckley Unit
2-A-3
P.O. Box 3400
Buckeye, Arizona 85326

Re: State of Wisconsin, Plaintiff-Respondent,
v. Rafeal D. Newson, Defendant-Appellant.
Case No. 02-0959-CR
District I

Dear Mr. Newson:

1 I have received your letter dated September 28, 2003, in regard to the above
2 matter. Before I can send my file to you, you need to let me know whether you wish me
3 to prepare a no merit petition for review. If you want me to prepare and file a no merit
4 petition for review, I will need my file to prepare same. After I have prepared a no merit
5 petition for review, I will send my file to you. If you do not want me to prepare a no merit
6 petition for review, I will send my file to you after I am informed of same.

7 Regarding your request for copies of the Wisconsin Statutes regarding the rules of
8 appellate procedure, I have enclosed a copy of Chapter 809 of the Wisconsin Statutes.
9 You also request copies of Wisconsin Statutes for the issues raised in your August 22,
10 2003, letter to me. In that letter, you raised numerous issues. It is nearly impossible for
11 me to determine which Wisconsin Statutes are potentially relevant to all the issues raised
12 in that letter. In any event, please note that if you are proceeding pro se, it is not my
13 responsibility to do legal research for you. I have enclosed a copy of Chapter 908 of the
14 Wisconsin Statutes regarding hearsay. I am not aware if you have access to the internet.
15 If you do, please note that the Wisconsin Statutes are published on the State Bar of
16 Wisconsin website: www.wisbar.org. Some Wisconsin case law is also stated on that
17 website.



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~~APPENDIX V~~
HAF2

6233270081

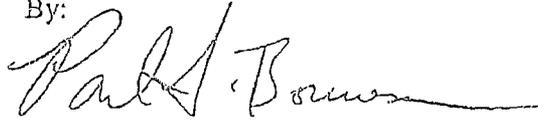
ASPC LEWIS MOREY AD

If you are proceeding pro se, the State Public Defender's office will not appoint a private investigator, law clerk or paralegal for you. You can retain those persons privately if you wish.

Very truly yours,

Law Offices of Paul G. Bonneson

By:



Paul G. Bonneson

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2AF2

MARQUIS JOHNSON (AKA) RAFEAL NEWSON #149257
A.S.P.C. - LEWIS ; MOREY UNIT 1.A.20
P.O. BOX 3300 ; BUCKEYE , AZ 85326

~~EX-19~~

AUGUST 30th, 2010

COPY

TO: NATIONAL BAR ASSOCIATION INC.
1225 11th STREET; N.W. WASHINGTON D.C. 20001

COMPLAINT:

FOR: STATE OF WISCONSIN, ATTORNEY: PAUL MANLEY

RE: (00CF04309)-STATE OF WISCONSIN - VS - RAFEAL NEWSON

MY NAME IS RAFEAL NEWSON (AKA) MARQUIS JOHNSON, AND I'm CURRENTLY
CONFINED IN THE DEPARTMENT OF CORRECTIONS IN BUCKEYE, ARIZONA. I SAT
IN MADISON STREET JAIL, PHOENIX, ARIZONA/MARICOPA COUNTY, ARIZONA FOR
OVER A MONTH ON ARIZONA CHARGES UNRELATED TO THIS LAWYER AND COM-
PLAINT, BEFORE I RECEIVED FUGITIVE OF JUSTICE CHARGES. I WENT TO COURT
AND MILWAUKEE COUNTY, WISCONSIN, FILED A WRIT OF HABEAS CORPUS CLAIM-
ING TO HAVE DECEMBER 6, 1996, CHARGES OF 1ST DEGREE INTENTIONAL HOMICIDE.
(SEE EXHIBIT #1, HEREIN EX:1 - SHOWING MINUTE ENTRY OF FINAL HEARING ON
FUGITIVE OF JUSTICE CHARGES IN ARIZONA, ON STATE OF WISCONSIN WRIT).
[ALL EXHIBITS = EX: , ARE WITHHELD UNTIL SPECIFICALLY REQUESTED FOR INVEST-
IGATION, PROSECUTION, OR ADJUDICATION PURPOSES]. I NEVER AGREED TO CHARGES,
NOR SIGNED FORMS Y-A AND Y-B UNDER THE AGREEMENT ON INTERSTATE

1 OF 4

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DETAINER ACT. THESE PROCEEDINGS WERE HELD EVERY 90 DAYS TIL A FINAL HEARING 16 MONTHS LATER. I.D. THE STATE OF WISCONSIN'S WRIT AND EVIDENCE FOR EXTRADITION CONSISTED OF A GOVERNOR'S LETTER, AN ALLEGE CRIMINAL COMPLAINT, AND A FELONY ARREST WARRANT (AND AUTHORIZATION FOR EXTRADITION). JULY 17, 2000, A PIMA COUNTY JUDGE OVERRULED MY OBJECTIONS AND SENT ME TO WISCONSIN TO DISPOSE OF SAID CHARGES I.D. I ARRIVED IN A MILWAUKEE COUNTY, WISCONSIN JAIL AUGUST 29, 2000, AND WAS USHERED INTO AN INITIAL APPEARANCE (EX: 2 - SHOWING RELEVANT TRANSCRIPTS OF PROCEEDINGS). I HAD THREE OTHER CHARGES BATTERY, CASE NUMBER 96-CM-013526; POSSESSION OF CONTROLLED SUBSTANCE MARIJUANA, OBSTRUCTING OFFICER, CASE NUMBER 96-CM-013130, FROM NOVEMBER 29, 1996 I.D. AN ALLEGE ATTORNEY PAUL MANLEY APPEARED ON MY LAW ILLITERATE BEHALF. I.D. HE RAISED AN UNSUPPORTED JURISDICTIONAL OBJECTION, IN GENERAL. I.D. IMMEDIATELY, AFTERWARDS HE STATED I WAS PRESENT, AND THE COURT FOUND PROBABLE CAUSE, WHICH WAS SUPPOSEDLY FOUND BACK IN DECEMBER 6, 1996, FROM THE ALLEGE JURISDICTIONAL DOCUMENT, THE CRIMINAL COMPLAINT FILED IN 1996. (EX: 3). COUNSEL MANLEY FAILED TO USE HIS LEGAL KNOWLEDGE, SKILL, AND LOYALTY TO THE CLIENT. HE NEVER SUPPORTED HIS JURISDICTIONAL OBJECTION BY: 1.) DEMANDING THAT THE CRIMINAL COMPLAINT WAS NEVER FILED WITH THE COURT TIL TODAY, (COMPARE TO (EX: 4)); 2.) DEMAND THAT THE COMMISSIONER/JUDGE NEVER SIGNED THE CRIMINAL COMPLAINT, BECAUSE IT'S BASED ON UNSUPPORTED INFORMATION AND BELIEF, (EX: 3); 3.) DEMAND THAT NO AFFIDAVITS WERE ATTACHED BECAUSE THE CRIMINAL COMPLAINT, AGAIN, WAS BASED ON AN OFFICER'S INFORMATION AND BELIEF. I.D.; 4.) DEMAND THAT THE SIGNATURE SIGNED ON THE FELONY ARREST WARRANT (AND AUTHORIZATION FOR EXTRADITION), WAS ILLEGIBLE AND

2 OF 4

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ILLEGAL (EX:5 - SHOWING ARREST WARRANT). IT WAS OBVIOUS FROM THE AUGUST 29, 2000, COURT STAMP, REVERSE BOTTOM LEFT CORNER, THAT THIS DOCUMENT CLAIMING JURISDICTION WAS NOT FILED IN 1996. (EX:3) THE COURT INDEX DOCKET FURTHER CONFIRMS THIS. (EX:6 - SHOWING THE COURT INDEX DOCKET), AND THE CASE NUMBER / PREFIX IN THIS CASE 00CFO4309, SHOWING FILING YEAR. I.D. CONTRARY TO THE ALLEGE STATEMENT AND SIGNATURE OF THIS PHANTOM COMMISSIONER / JUDGE ON THE ARREST WARRANT (EX:5). COUNSEL MANLEY KNOWS THE WISCONSIN AND U.S. CONSTITUTIONS IN THEIR ENTIRETY. COUNSEL THEREIN KNOWS, "THAT THE MAGISTRATE PERFORM HIS 'NEUTRAL AND DETACHED' FUNCTION AND NOT SERVE MERELY AS A RUBBER STAMP FOR THE POLICE." AGUILAR V. STATE OF TEXAS (1964) 378 U.S. 108. ALSO THAT, "A CRIMINAL COMPLAINT MAY BE ATTACKED WHEN THERE HAS BEEN AN OMISSION OF CRITICAL MATERIAL WHEN INCLUSION IS NECESSARY FOR AN IMPARTIAL JUDGE TO DETERMINE PROBABLE CAUSE". STATE OF WISCONSIN V. MANN, 123 Wis.2d 375, 367 N.W.2d 209 (1985). FURTHER, "THE TEST OF A COMPLAINT IS OF MINIMAL ADEQUACY IN SETTING FORTH THE ESSENTIAL FACTS, ESTABLISHING PROBABLE CAUSE THROUGH A COMMON SENSE, AND NOT HYPERTECHNICAL, EVALUATION. ONLY AFFIDAVITS SPECIFICALLY INCORPORATED INTO THE COMPLAINT MAY BE USED TO SHOW PROBABLE CAUSE," STATE OF WISCONSIN V. SMAXWELL, 2000 WI App. 112, 235 Wis.2d 230, 612 N.W.2d 756, 99-2261. THE UNITED STATES SUPREME COURT ESTABLISHED AND REAFFIRMED THIS IN GIORDENELLO V. UNITED STATES: "IT APPEARS FROM FINLEY'S TESTIMONY AT THE HEARING ON THE SUPPRESSION MOTION THAT UNTIL THE WARRANT WAS ISSUED ON JANUARY 26 HIS SUSPICIONS OF PETITIONER'S GUILT DERIVED ENTIRELY FROM INFORMATION GIVEN HIM BY LAW ENFORCEMENT OFFICERS AND OTHER PERSONS IN HOUSTON, NONE OF WHOM EITHER APPEARED BEFORE THE COMMISSIONER OR SUBMITTED AFFIDAVITS. BUT WE NEED NOT DECIDE WHETHER A WARRANT MAY BE ISSUED SOLELY ON HEARSAY INFORMATION, FOR IN ANY EVENT WE FIND THIS COMPLAINT DEFECTIVE IN NOT PROVIDING A SUFFICIENT BASIS UPON WHICH A FINDING OF PROBABLE CAUSE COULD BE MADE." ID. AT PAGE 6

"THE PURPOSE OF THE COMPLAINT, THEN, IS TO ENABLE THE APPROPRIATE MAGISTRATE, HERE A COMMISSIONER, TO DETERMINE WHETHER THE 'PROBABLE CAUSE' REQUIRED TO SUPPORT A WARRANT EXISTS. THE COMMISSIONER MUST JUDGE FOR HIMSELF THE PERSUASIVENESS OF THE FACTS

3 OF 4

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RELIED ON BY A COMPLAINING OFFICER TO SHOW PROBABLE CAUSE. HE SHOULD NOT ACCEPT WITHOUT QUESTION THE COMPLAINANT'S MERE CONCLUSION THAT THE PERSON WHOSE ARREST IS SOUGHT HAS COMMITTED A CRIME." Id. at 357 U.S. 480, 78 S. Ct. 1245.

IF, IN FACT, COUNSEL PAUL MANLEY IS A REAL LAWYER WHO PASSED THE BAR ASSOCIATION'S QUALIFICATIONS? ALL OFFICERS OF THE COURT IN MY CASE AVOIDED AND IGNORED EVEN THE HINT OF THE FIRST AND MOST IMPORTANT QUESTION INVOLVING JURISDICTION, BECAUSE ONCE AND ONLY WHEN JURISDICTION IS ESTABLISHED, CAN THE MATRIX GAME BEGIN. THE ONE AND ONLY JOB AT THE TIME COUNSEL MANLEY HAD, IN MY BEHALF, AT THE TIME, WAS TO ENFORCE MY RIGHTS, BUT HE WAS INEFFECTIVE. THIS IS WHY I BROUGHT THIS UNPROFESSIONAL CONDUCT, GROSS NEGLIGENCE, AND CORRUPTION TO THE NATIONAL BAR ASSOCIATION. ANYBODY, LAYMAN OR PROFESSIONAL, KNOW YOU START AT THE VERY BEGINNING LOOKING FOR INFRACTIONS, NOT JUST CONCEDE TO JURISDICTION, WHEN THERE'S AN ABSENCE OF JURISDICTION. I HOPE AND PRAY FOR DISCIPLINARY ACTIONS FOR HIS PARTICIPATION, A DECADE AGO, IN THE VIOLATION OF MY INVOLUNTARY SERVITUDE/SLAVERY PERPETRATED AGAINST ME AND TREASON TO THE 13th AMENDMENT WHICH DEMAND:

"NEITHER SLAVERY NOR INVOLUNTARY SERVITUDE, EXCEPT AS A PUNISHMENT FOR CRIME WHERE-OF THE PARTY SHALL HAVE BEEN DULY CONVICTED, SHALL EXIST WITHIN THE UNITED STATES, OR ANY PLACE SUBJECT TO THEIR JURISDICTION." U.S. CONSTITUTION, 13th AMENDMENT, SECTION 1.

PLEASE INVESTIGATE, PROSECUTE, AND ADJUDICATE THIS MATTER TO THE FULLEST EXTENT.

I, ~~Rafael~~ (AKA) MARQUIS JOHNSON, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING FACTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

RESPECTFULLY,

BY: ~~Rafael~~ (AKA) MARQUIS JOHNSON

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4 OF 4

PACKET OF
 VARIOUS CRIMINAL
 COMPLAINTS
 OF UNKNOWN
 DEFENDANTS
 FROM:

- ~~84~~ — 1988 (CASE No. F-880754)
- ~~85~~ — 1992 (CASE No. F930563)
- ~~8~~ — 2007 (CASE No. 07CF351)

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STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

MILWAUKEE COUNTY

STATE OF WISCONSIN, Plaintiff, Thurman Darnell N. 10th Street Milwaukee, WI	042770	CRIMINAL COMPLAINT
		CRIME(S) OR VIOLATION(S) Burglary (PTAC)
		STATUTE(S) OR ORDINANCE(S) VIOLATED. 943.10(1)(a) and 939.05
		COMPLAINING WITNESS Allen, Robert
	Defendant(a)	CASE NUMBER F-880754

ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE
DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN

On March 8, 1988, at 5205 N. 55th Street, City of Milwaukee, did
intentionally enter a dwelling at the abovestated location without the
consent of the person in lawful possession and with intent to steal
property, contrary to Wisconsin Statutes section 943.10(1)(a).

In the event of a conviction of this charge, a Class C Felony, the maximum possible
penalty is a fine of not more than \$10,000 or imprisonment for not more
than 10 years or both.

The complainant states that he is a City of Milwaukee Police Detective who has
submitted the Petition For Determination of Juvenile Delinquency, the Petition
for Waiver of Children's Court Jurisdiction and the Order Waiving
Children's Court Jurisdiction signed by the Honorable John Franke, Circuit
Court Judge, in Case #03212394, a juvenile, date of birth April 27, 1970,
copies of said documents being attached hereto and incorporated herein
in their entirety.

The complainant has relied upon such records in the past and found them to
be accurate and reliable and believes the documents referred to above are
truthful and reliable and set forth probable cause for the offense(s) with
respect to the named defendant is charged above and said documents also
establish jurisdiction of the Milwaukee County Circuit Court-Criminal
Division over the above named defendant.

On a further basis of this complaint, complainant states that in addition
to the information contained in the attached juvenile reports, he knows
the victim of this offense, Dorothy Voigt, has stated that she

F-ki TD

CONTINUED ON PAGE 02

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COPIED COPY

DO NOT REMOVE

STATE OF WISCONSIN

CIRCUIT COURT
CRIMINAL DIVISION

Page 2

STATE OF WISCONSIN, Plaintiff(s)

CRIMINAL COMPLAINT

vs

CRIMINAL COMPLAINT
SEE CHARGING SECTIONS BELOW

ones, Maurice Lavell ✓ 040670
528 West Capitol Drive
Milwaukee, Wisconsin

STATUTES OR PROVISIONS VIOLATED
SEE CHARGING SECTIONS BELOW

Imble, Thurman D., Jr. 042771
309 North 10th Street
Milwaukee, Wisconsin

COMPLAINING WITNESS
Ridgway, Earl

CASE NUMBER F930563

~~EX-20
1024~~

Defendant(s)

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN

COUNT #01: ARMED ROBBERY (PTAC)

On December 13, 1992, at or about the 3300 Block of North 13th Street, City of Milwaukee, as a party to a crime, with intent to steal, did and by the use or threat of use of a dangerous weapon, take property from the person of William Lindsey, the owner, by threatening the imminent use of force against the person of the owner with intent thereby to compel the said owner's to acquiesce in taking and carrying away of said property, contrary to Wisconsin Statutes section 943.32(1)(b)&(2) and 939.05.

COUNT #02: SECOND-DEGREE RECKLESS INJURY.-

WHILE USING A DANGEROUS WEAPON (PTAC)

On December 13, 1992, at or about 3330 North 13th Street, City of Milwaukee, as a party to a crime, did recklessly cause great bodily harm to another human being, William Lindsey, while using a dangerous weapon, contrary to Wisconsin Statutes section 940.23(2), 939.53(1)(a)3 and 939.05.

AS TO COUNT #01:

Upon conviction of this charge, a Class B Felony, the maximum possible penalty is imprisonment for not more than 20 years, as to each defendant.

AS TO COUNT #02:

Upon conviction of this charge, a Class D Felony, the maximum possible penalty is a fine of not more than \$10,000 or imprisonment for not more than 5 years or both, as to each defendant.

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State of Wisconsin

Commissioner's Courtroom A

Brown County

ORIGINAL

STATE OF WISCONSIN

DA Case No.: 2007BR000727

Assigned DA/ADA: Patrick C. Hitt

Agency Case No.: GBPD07101078

Court Case No.: 07CF351

-vs-

Plaintiff,

MARVEL JOHNSON

DOB: 11/02/74

Defendant,

FILED
SEP 20 2007

EX: 18
PAGE 2070

WRIT OF HABEAS CORPUS

THE STATE OF WISCONSIN

To: DODGE CORRECTIONAL INSTITUTION
WAUPUN, WI

CLERK OF COURTS
BROWN COUNTY, WI

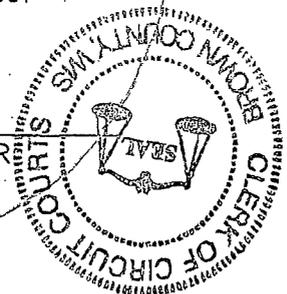
GREETINGS: We command that you have the body of **Marvel Johnson**, detained in your custody in the **DODGE CORRECTIONAL INSTITUTION** at Waupun, Wisconsin, as it is said, turned over to Officers of the Brown County Sheriff's Department for transportation before our **Commissioner's Courtroom A**, at the Brown County Courthouse, in the City of Green Bay, County of Brown, and State of Wisconsin, on Wednesday, **October 10, 2007** at 10:30 a.m. to appear before this Court for the purpose of a **Preliminary Hearing** and immediately after the said hearing that he can be returned to the **DODGE CORRECTIONAL INSTITUTION** under safe and secure conduct; and have you then and there this Writ.

CONFIRMATION

Witness: Honorable Lawrence L. Gazeley
Brown County Court Commissioner
at the City of Green Bay, County of Brown, and State of
Wisconsin, this 20 day of September, 2007

Lawrence Gazeley

BROWN COUNTY COURT COMMISSIONER



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SEP 26 2007

State of Wisconsin

Circuit Court

Brown County

STATE OF WISCONSIN

DA Case No.: 2007BR000727
Assigned DA/ADA: Patrick C. Hitt
Agency Case No.: GBPD07101078
Court Case No.: 2007CF 351

P4

-vs-

Plaintiff,

Marvel Johnson
3324 N. 16th Street
Milwaukee, WI 53211
DOB: 11/02/1974
Sex/Race: M/B

~~EX-18~~
PAGE 1 OF 2
[SEE CONFIRMATION PAGE 2]
Defendant,

FILED
APR 10 2007

CLERK OF COURTS
BROWN COUNTY, WI

WARRANT

THE STATE OF WISCONSIN TO ANY LAW ENFORCEMENT OFFICER:

A complaint, a copy of which is attached, having been made before me accusing the defendant of committing the crime(s) of:

<u>THE CRIME(S) OF:</u>	<u>DATE OF VIOLATION:</u>	<u>CONTRARY TO WIS. STATUTE(S):</u>
Disorderly Conduct;	01/23/2007	947.01; 968.075(1)(a)
Domestic Abuse	01/23/2007	940.19(1); 968.075(1)(a)
Battery; Domestic Abuse	01/23/2007	940.30; 968.075(1)(a)
False Imprisonment;	01/23/2007	940.45(3); 968.075(1)(a)
Domestic Abuse		
Felony Intimidation of a Victim; Domestic Abuse		

And having found that probable cause exists that such violation was committed by the defendant, you are, therefore, commanded to arrest the defendant and bring him before me, or if I am not available, before some other judge of this county.

Dated this 4 day of April, 2007.

Lawrence Angley
Circuit Court Judge/Court Commissioner

EXTRADITION: YES: X NO:
ENTER: Wisconsin Only: Nationwide: X Adjoining Counties/States:

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4/3/2007

PETITIONER'S CERTIFICATION

I HEREBY CERTIFY THAT THIS 'APPENDIX', TO THE
HEADLINING 'PETITION FOR WRIT OF HABEAS CORPUS', IS
IN COMPLIANCE WITH REQUIREMENTS (809.19).

DATE: 3/5/2013

Rafael Aunon A/K/A Marguis Johnson #149257

CERTIFICATION OF MAILING

I CERTIFY THAT THIS 'PETITION FOR A WRIT OF HABEAS CORPUS AND APPENDIX' WAS DEPOSITED IN THE UNITED STATES MAIL FOR DELIVERY TO THE CLERK OF THE COURT OF APPEALS BY FIRST-CLASS MAIL, OR OTHER CLASS OF MAIL THAT IS AT LEAST AS EXPEDITIOUS, ON 3/5/2013. I FURTHER CERTIFY THAT THE PETITION AND APPENDIX WAS CORRECTLY ADDRESSED AND POSTAGE WAS PRE-PAID TO THIS COURT OF APPEAL FOR THE WISCONSIN SUPREME COURT, AND THE PARTY BELOW:

→ JAMES M. FREIMUTH
ASSISTANT ATTORNEY GENERAL
P.O. BOX 7857
MADISON, WI 53707-7857
(ATTORNEY FOR RESPONDENTS)

BY: Rafael Newton (AKA) Margius Johnson