

7-10-2013

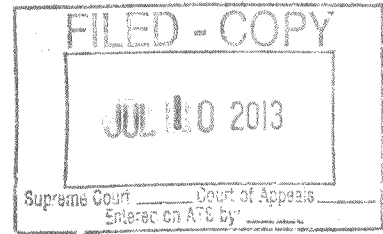
Sivak v. State Appellant's Reply Brief Dckt. 40583

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TO THE IDAHO STATE SUPREME COURT

LACEY MARK SEVAK,)	ISSC 40583-2012
DETENTIONER,)	A.C. 2012-1675
APPELLANT,)	
vs,)	LACEY'S REPLY TO
STATE OF IDAHO,)	ANDERSON'S "BRIEF
RESPONDENT.)	OF RESPONDENT

COMES NOW, LACEY SEVAK, APPELLANT IN THE ABOVE-ENTITLED ACTION, FILING THIS "LACEY'S REPLY TO ANDERSON'S "BRIEF OF RESPONDENT" ", PROVIDING:

II.

TODAY LACEY RECEIVED TWO ITEMS FROM LAMONT ANDERSON. - THEY ARE
1. MOTION TO TAKE JUDICIAL NOTICE
2. BRIEF OF RESPONDENT.

III

LACEY HAS READ THE DOCUMENTS ANDERSON DID.
FIRST, ON THE MOTION TO TAKE JUDICIAL NOTICE, THE

2

CLERK'S RECORDS ON 14435
14435
15022

ARE NOT AVAILABLE TO LACEY, AND
THE "NON-SIVAK" CASES, AND, MOST SIVAK
CRIMINAL CASE IN THE BRIEF ARE NOT
EITHER. - (AND, ANDERSON DID NOT
PROVIDE REQUIRED COPIES.)
SO, LACEY CANNOT ANSWER.

III

THEN, LACEY READS ANDERSON'S
DOCUMENTS. - LACEY OBJECTS TO ALL OF
THEM, AND, PROVIDES:

1. THE NINTH CIRCUIT MANDATE CAME
OUT JAN. 2012. - UNDER 19-6902, I.C.,
IT PROVIDES:

(A) A PROCEEDING IS COMMENCED BY
FILING AN APPLICATION ... AT
ANY TIME WITHIN ONE (1) YEAR
FROM THE EXPIRATION OF THE
TIME FOR APPEAL OR FROM THE
DETERMINATION OF THE APPEAL
OR FROM THE DETERMINATION

#3

OF A PROCEEDING FOLLOWING AN
APPEAL,
WHICHEVER IS LATER.

...

(NOTICE "WHICHEVER IS LATER".)
THEREFORE, THE SEPT. 2012 APPLICATION
WAS TIMELY FILED WITH THE LETTER
OF 19-4402 J.C.,

2 NEXT, WHEN YOU READ THE APPLICATION
IT PUT INTO WJLPER, UNDER 19-4901
(HE HAS BEEN CONVICTED... FOR A CRIME
AND)

(1)

(2)

(4)

(5)

(7)

(THE FIVE REASONS NUMBERED)
IT CHALLENGES THE CONVICTION, SO,
THE SENTENCE IS IRRELEVANT.
AND, IT COULD HAVE A LOT OF ARGUMENTS
ON EACH OF THOSE FIVE REASONS. JUST
READING WHAT TO PUT IN THE
INITIAL APPLICATION, THE APPEAL

BRIEF, AND THE FIRST SUPPLEMENT TO APPEAL BRIEF (AND JURY INSTRUCTION THAT TELLS THE JURY COULD CONVICT LACKER OF MULTIPLE MURDERS ON DIXIE, IS CLAIM THAT THE COURT WAS WITHOUT JURISDICTION TO IMPOSE SENTENCE, SUBJECTS THE CONVICTION TO COLLATERAL ATTACK, AND MORE.- AND, IS DOUBLE JEOPARDY.-

ALSO, IT HAS NEVER BEEN PRESENTED AND HEARD [19-4901(a)(4)], SO, IT IS IN GOOD FAITH.-

3. WILPER, IN 2012, ADMITTED THE JURY INSTRUCTION THAT THE STATE ATTORNEY SAYS I COULD BE CONVICTED OF DOUBLE MURDER ON ONE PERSON IS DOUBLE JEOPARDY.-

4. ANDERSON'S ARGUMENT ON THE TIME LIMIT, THE NINTH CIRCUIT RULED: IN SUAK V. HARDISON, 08-99006 (USD C 1,96-CV-00056-BLW)

... WE HAVE PREVIOUSLY HELD

#5

THAT IDAHO'S FORTY-TWO DAY
FILING DEADLINE WAS INADE-
QUATE ...

ONCE AGAIN, WE CONCLUDE THAT
IDAHO'S FORTY-TWO DAY FILING
DEADLINE AS APPLIED TO [THE
PETITIONER] IS UNDOUBLEDY
HARSH AND, THEREFORE INADEQUATE.

5. AND, ON LACEY'S APPLICATION, APPEAL
BRIEF, AND OTHER DOCUMENTS, LACEY
HAS SHOWED HE TRIED BEFORE
TRIAL TO DEAL WITH ISSUES, BUT,
THE COURTS STOPPED HIM IN
2012. - SO, IF INADEQUATE COUN-
SEL DID NOT ADDRESS IT, UNDER
"DEUTSCHER V. NEVADA", 9TH CIR.
RULING, LACEY IS PROTECTED -
ALSO, UNDER SWAN V. HARDSON

6. LACEY HAS VERY FEW DOCUMENTS AVAILABLE.
LACEY SAYS THAT IT WAS NEVER
ADDRESSED THAT COUNT THREE
IS DOUBLE JEOPARDY AND LACEY
ADDRESSES IN GOOD FAITH.

7. ON ANDERSON'S CLAIMS ON VEXATIOUS LITIGANT, THE MARCH 2013 RULING SPECIFICALLY DISQUALIFIES THIS CASE IN THE RULING, AND, IT IS AFTER THIS CASE WENT TO COURT

8. ON ANDERSON'S CLAIMS ON ATTORNEY FEES, 19-4905 REQUIRES ADA COUNTY PAY ANDERSON.-

9. ON ANDERSON'S CLAIM OF FORM ON LACEY'S BRIEF, FROM 19-4906 (a)... IN CONSIDERING THE APPLICATION THE COURT SHALL TAKE ACCOUNT OF SUBSTANCE ~~OF THE BRIEF~~ REGARDLESS OF DEFECTS OF FORMS, ... AND 19-4909 ALLOWS REVIEW BY THIS COURT

LACEY HAS KEPT THE CASE SIMPLE AND CLEAR.- THE BRIEF TELLS THE ISSUES OF PLAINT AND SIMPLY IT MAY NOT SAY THE WORDS "ISSUES OF THE CASE", BUT, PLAINT TELLS THEM.-

IV

THE IDAHO CODES AND THE FOOTNOTES OF THE IDAHO SUPREME COURT, CITED IN THE APPLICATION AND, THE APPEAL BRIEF AND FIRST SUPPLEMENT, SUPPORT THE COURT DOES NOT BRING MULTIPLE THEORIES OR CONVICTIONS - IT MAKES ONE CHARGE, WITH THE JURY TO DECIDE GRADE AND DEGREE.

V

FOR THE REASONS IN THE APPLICATION, APPEAL BRIEF, FIRST SUPPLEMENT TO BRIEF, THIS DOCUMENT COUNTS AS ONE CHARGE OF DOUBLE JEOPARDY AND SHOULD BE DISMISSED. - AND IS TIMELY PRESENTED, ACCORDING TO WELLS (S), IN GOOD FAITH.

VI

ANDERSON TRYING TO DEFEND

#8

THAT A STATE COURT CANNOT
LEGALLY SENTENCE SOMEONE FOR
OVER 30 YEARS OR BEYOND BELIEF,
AND CAN ISSUE MULTIPLE
PUNISHMENTS OR ALSO BEYOND
BELIEF.

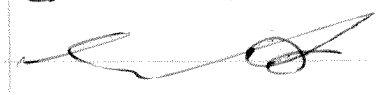
III

LACY SAW SERVICE OF THIS
DOCUMENT WAS MADE AS:

* EIGHT SETS ON HQ 127639 FUND
WITHDRAWAL TO
IDAHO SUPREME COURT
STATEHOUSE
BOISE, IDAHO 83720

* ONE SET ON 129274 FUND
WITHDRAWAL TO
LAWYER ANDERSON/DAB
STATEHOUSE
BOISE, IDAHO 83720

ON OR AFTER THIS 03RD DAY OF
JULY 2013,



49

LACEY SOVAK 18114
J-BLOCK, SMSP
P. D. BOYD
BOYD, J. D. A. O. B. J. O.

→ BLEND 2