



Nate <nate.huiras@gmail.com>

Discovery - 23CF1205

13 messages

Hernandez, Leslie <Leslie.Hernandez@da.wi.gov>
To: "nate.huiras@gmail.com" <nate.huiras@gmail.com>
Cc: "Jensen, Dirk" <Dirk.Jensen@da.wi.gov>

Wed, Jan 10, 2024 at 8:48 AM

Good morning, to receive discovery there'll be a charge of \$40 to release discovery. Payment is preferred in exact change or money order, at Racine County DA Office, we do not take credit cards over the phone. Thank you

Nate <nate.huiras@gmail.com>
To: "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>

Wed, Jan 10, 2024 at 9:01 AM

Can I mail your office a check?

Nate

[Quoted text hidden]

Hernandez, Leslie <Leslie.Hernandez@da.wi.gov>
To: Nate <nate.huiras@gmail.com>

Wed, Jan 10, 2024 at 9:03 AM

We do not take checks

From: Nate <nate.huiras@gmail.com>
Sent: Wednesday, January 10, 2024 9:02 AM
To: Hernandez, Leslie <Leslie.Hernandez@da.wi.gov>
Subject: Re: Discovery - 23CF1205

You don't often get email from nate.huiras@gmail.com. [Learn why this is important](#)

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Nate <nate.huiras@gmail.com>
To: "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>

Wed, Jan 10, 2024 at 9:03 AM

Can I mail a money order?

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Hernandez, Leslie <Leslie.Hernandez@da.wi.gov>
To: Nate <nate.huiras@gmail.com>

Wed, Jan 10, 2024 at 9:16 AM

Yes you can, [730 Wisconsin Ave Racine, WI 53403](#)

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Nate <nate.huiras@gmail.com>

Fri, Jan 12, 2024 at 5:28 PM

To: "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>, Racine DA's Office <rcda@da.wi.gov>

To: State of Wisconsin

Why am I being forced to pay something that I have a constitutional right to see? It is my sixth amendment right to understand the nature of my charges and you are putting an unnecessary \$40 fee as a barrier for me to overcome to see the exculpatory evidence which is also a violation of the eighth amendment. If you want to keep costs down then I advise you to end this malicious and vindictive prosecution.

You are going to provide me with all of the evidence (Including all body camera footage of the Police Officers) that you have in this case by next Friday, 1/19/2024 for FREE or I will be reporting this to the Office of Lawyer Regulation in Madison.

Sincerely,

Nate in SUI JURIS

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Nate <nate.huiras@gmail.com>

Fri, Jan 12, 2024 at 5:49 PM

To: "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>, rcdadiscovery@da.wi.gov

Cc: dojcommunications@doj.state.wi.us

To: State of Wisconsin

You claim that you have the authority to charge me \$40 for me to see discovery in your misreading of **Wisconsin Statute 971.23**. Let me help you understand the statute:

"(10) PAYMENT OF COPYING COSTS IN CASES INVOLVING INDIGENT DEFENDANTS. *When the state public defender or a private attorney appointed under s. 977.08 requests copies, in any format, of any item that is discoverable under this section, the state public defender shall pay any fee charged for the copies from the appropriation account under s. 20.550 (1) (a). If the person providing copies under this section charges the state public defender a fee for the copies, the fee may not exceed the applicable maximum fee for copies of discoverable materials that is established by rule under s. 977.02 (9).* "

I, Nathan Huiras, am NOT a PUBLIC DEFENDER nor am I a PRIVATE ATTORNEY so you have NO RIGHT to charge me any fees. This controversy is over \$20 so I remind you of my seventh amendment United States of America Constitutional rights.

This email exchange shall be considered my DEMAND FOR DISCOVERY and your office shall comply promptly. I, Nathan Huiras, REFUSE to contribute any money to the state's effort to maliciously prosecute innocent people that they don't like.

Sincerely,

Nate

[Quoted text hidden]

Jensen, Dirk <Dirk.Jensen@da.wi.gov>

Tue, Jan 16, 2024 at 8:09 AM

To: "nate.huiras@gmail.com" <nate.huiras@gmail.com>

Cc: Racine DA's Office <rcda@da.wi.gov>, "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>, "Hanson, Patricia" <Patricia.Hanson@da.wi.gov>

Mr. Huiras-

We are well within the law in charging for discovery. You are not indigent. IN fact, your bond was just modified to allow you more work opportunities. . You will receive access to discovery when you have complied with the payment procedures.

If you disagree, you may address the issue with the Court. However, you do not make threats to our staff.

If you feel the need to contact the Office of Lawyer Regulation, their contact information is listed below.

Office of Lawyer Regulation
Timothy C. Samuelson, Director
110 East Main Street, Suite 315
P.O. Box 1648
Madison, WI 53701-1648
Ph: (608) 267-7274 or (877) 315-6941
Fax: (608) 267-1959

Dirk C. Jensen

Racine County District Attorney's Office

730 Wisconsin Avenue

Racine, WI 53403

(262) 636-3859

From: Racine DA's Office <rcda@da.wi.gov>

Sent: Tuesday, January 16, 2024 7:38 AM

To: Jensen, Dirk <Dirk.Jensen@da.wi.gov>

Subject: FW: Discovery - 23CF1205

[Quoted text hidden]

Nate <nate.huiras@gmail.com>

Tue, Jan 16, 2024 at 10:16 AM

To: "Jensen, Dirk" <Dirk.Jensen@da.wi.gov>, OLR Intake <olr.intake@wicourts.gov>

Cc: Racine DA's Office <rcda@da.wi.gov>, "Hernandez, Leslie" <Leslie.Hernandez@da.wi.gov>, "Hanson, Patricia" <Patricia.Hanson@da.wi.gov>, dojcommunications@doj.state.wi.us

Bcc: layhermel@yahoo.com, Jeff Erbs <jperbs@charter.net>, sam m <csgameover2@yahoo.com>, wisconsininvestigates@gannett.com, tips@wisconsinwatch.org, Morgan Quinn <mquinn@logisticshealth.com>, brooke.eischen@gmail.com, denise@racinecountyeye.com

To: Office of Lawyer Regulation in Madison, WI

Deputy Dirk Jensen is violating the **Wisconsin Supreme Court Code of Conduct**. Please see the email chain below. The state is refusing to provide me with exculpatory evidence that will protect the public from hostile and savage police officers such as Deputy Racine County Sheriff Preston Kite that are shooting peaceful people with taser weapons on Highway I-94 that have not endangered the public.

It is not lawful to put unnecessary fines or fees as a barrier for me to obtain public information (**State ex rel. Young v. Shaw, 477 NW 2d 340 - Wis: Court of Appeals 1991**). Please investigate the Racine County prosecutor's attempt to have a chilling effect on my ability to speak freely about the government misconduct in Racine County, WI. This prosecutor is associating the act of petitioning a complaint to a "threat". It is a matter of public policy that he shall not

associate constitutionally protected activity with the word "Threat" as he did in the below email chain. This violates his Oath of Office (**Wisconsin Statute 19.02**). No one shall abridge my right to petition the government (**Wisconsin Constitution Article I Right to assemble and petition. SECTION 4**). Deputy Dirk Jensen shall not impute criminal behavior "threats" towards the peaceful act of exercising free speech.

Judge Robert Repishek in Racine County Case 2023CF001205 has violated **Wisconsin Statute 971.20** and refuses to leave the bench when substitution has been timely filed and no trial motions were filed. I do fear for my safety moving a court of such professional incompetence in the law (**SCR 60:04(1)(b)**) The Racine County court's incompetency (**City of Eau Claire v. Booth, 882 NW 2d 738 - Wis: Supreme Court 2016**) is a lack of authority to proceed therefore I shall not be moving the defective Case 2023CF001205 proceeding for discovery.

SCR 20:3.8 Special responsibilities of a prosecutor

"(b) When communicating with an unrepresented person in the context of an investigation or proceeding, a prosecutor shall inform the person of the prosecutor's role and interest in the matter.

(c) When communicating with an unrepresented person who has a constitutional or statutory right to counsel, the prosecutor shall inform the person of the right to counsel and the procedures to obtain counsel and shall give that person a reasonable opportunity to obtain counsel.

(f) A prosecutor, other than a municipal prosecutor, in a criminal case or a proceeding that could result in deprivation of liberty shall:

(1) make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal; and
(2) exercise reasonable care to prevent investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case from making an extrajudicial statement that the prosecutor would be prohibited from making under SCR 20:3.6.

(g) When a prosecutor knows of new, credible, and material evidence creating a reasonable likelihood that a convicted defendant did not commit an offense of which the defendant was convicted, the prosecutor shall do all of the following:

(1) promptly disclose that evidence to an appropriate court or authority;

SCR 20:3.4 Fairness to opposing party and counsel

"A lawyer shall not: (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value."

Wisconsin Constitution Article I Right to assemble and petition. SECTION 4. - *"The right of the people peaceably to assemble, to consult for the common good, and to petition the government, or any department thereof, shall never be abridged."*

State ex rel. Young v. Shaw, 477 NW 2d 340 - Wis: Court of Appeals 1991 - *"The criminal procedure statutes relied on by the assistant district attorney to postpone Young's inspection of the accident report and photographs in the hands of the district attorney do not restrict Young's right of access under the open records law. Nothing in the open records law requires a criminal defendant to comply with the rules of criminal procedure to obtain a record as to which the defendant has a right of access under sec. 19.35(1)(a), Stats. The right under the open records law is entirely different from the limited right under sec. 971.23(1), Stats. The open records law, sec. 19.35(4)(a), Stats., requires that a request be filled or denied "as soon as practicable and without delay."*

We conclude that the district attorney violated the open records law by withholding Officer Burke's narrative from Young until March 29, 1989, and withholding the photographs from him until May 9, 1989.

Young is entitled to recover his reasonable attorney's fees, compensatory damages and other actual costs under sec.

19.37(2), Stats., if he prevailed "in whole or in substantial part" in his mandamus action filed on March 27, 1989."

Sincerely,

Nathan Huiras in Pro Per SUI JURIS

6346 Newcastle Ln

Racine, WI [53402]

[Quoted text hidden]

Nate <nate.huiras@gmail.com>

Fri, Jan 19, 2024 at 1:04 PM

To: "Jonathan (Jon) Zeisser" <Jonathan.Zeisser@wicourts.gov>

Jonathan,

Here are the emails you requested.

Have a good weekend,

Nate

[Quoted text hidden]

Nate <nate.huiras@gmail.com>

Wed, Jan 24, 2024 at 2:15 PM

To: "Jonathan (Jon) Zeisser" <Jonathan.Zeisser@wicourts.gov>

Jonathan,

Please see attached. Deputy Dirk Jensen has conceded that Case 2022CF000630 is a malicious prosecution.

Thompson v. Clark, 142 S. Ct. 1332 - Supreme Court 2022 - *"Held: To demonstrate a favorable termination of a criminal prosecution for purposes of the Fourth Amendment claim under § 1983 for malicious prosecution, a plaintiff need not show that the criminal prosecution ended with some affirmative indication of innocence. A plaintiff need only show that his prosecution ended without a conviction. Thompson has satisfied that requirement here. Pp. 1335-1341."*

Regards,

Nate Huiras

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Acquittal.pdf

7K

Nate <nate.huiras@gmail.com>

Thu, Jan 25, 2024 at 1:19 AM

To: "Jonathan (Jon) Zeisser" <Jonathan.Zeisser@wicourts.gov>

Jonathan,

Also please see attached for more background on this malicious and vindictive prosecution conducted by Deputy Dirk Jensen in civil conspiracy with Circuit Court Judge Kristin Cafferty.

Regards,

Nate Huiras

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FiledWrit.pdf

271K

Jonathan (Jon) Zeisser <Jonathan.Zeisser@wicourts.gov>
To: Nate <nate.huiras@gmail.com>

Thu, Jan 25, 2024 at 6:06 AM

Mr. Huiras,

Court records indicate that Racine County #21-CF-630 was dismissed on January 19, 2024, on the prosecutor's motion because "victim is not cooperative." Our office does not determine whether you have a basis for a Fourth Amendment claim under 1983. That would be an issue for a court.

Jonathan Zeisser

From: Nate <nate.huiras@gmail.com>

Sent: Wednesday, January 24, 2024 2:16 PM

To: Jonathan (Jon) Zeisser <Jonathan.Zeisser@WICOURTS.GOV>

Subject: [E] Re: Discovery - 23CF1205

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[E] CAUTION: This email originated from outside the Wisconsin Judicial Branch. Do not click links or attachments unless you recognize the sender and know the content is safe. If this email appears suspicious, or is asking you to provide sensitive information, contact the CCAP Call Center for further guidance.

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