

STATE OF WISCONSIN CIRCUIT COURT
STATE OF WICONSIN

SEP 14 2015

Plaintiff,

v.

Case No. 05-CF-381
STAT § 974.06

STEVEN AVERY

Defendant - Appeallant,

RESPONSE REPLYING ON PHONE CALL
CAN NOT BE BAND FROM THE LAW OF JUSTICE

The State Violated my Constitutional Rights,.

THE FOURTH AMENDMENT

The Fourth Amendment protects citizens against unreasonable searches and seizures without a warrant:

"The right of the people to be secure... against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause..."

While there are exceptions to the warrant requirement, as a general rule, evidence obtained or an arrest made without probable cause is illegal. The evidence can be excluded from court and a citizen can recover damages for an illegal arrest.

THE FOURTEENTH AMENDMENT

The Bill of Rights as originally adopted granted rights to citizens in prosecutions by the Federal Government. The limitations against Bills of Attainder and Ex Post Facto Laws were the only protections directly addressed against state governments by the Constitution. In the aftermath of the Civil War the Fourteenth Amendment was passed and extended the Bill of Rights guarantees to the states.

"No states shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The Fourteenth Amendment finished the work started by the Bill of Rights providing that all units of government must provide due process and equal protection to all persons in the United States of America.

INEFFECTIVE ASSISTANCE OF COUNSEL: FAILURE TO INVESTIGATE

Petitioner's Counsel's was ineffective in failing to Conduct a reasonable investigation on the first Search Warrant and in Violation of Petitioner's Rights under the 4 th and 14 th Amendments.

Defense Counsel of the Manitowoc Public Defender, Erik Loy, & Craig Johnson, .

AND Dean A. Strang, & Jerome F. Buting, & Suzanne L. Hagopian, & Martha K. Aakins, On the Affidavit and the Search Warrant.

The State is Violating Wisconsin Constitutional Rights, And the United States of my Constitutional Rights, on the Affidavit and the Search Warrant that Mark Wiegert, Lying on the VIN Number that He dint Have, on Exhibit 32, AND Kenneth R. Kratz, Violating my Constitutional Rights on the Affidavit that he sign too.

THE POLICE WERE ON THE PROPERTY AT 11:10 am. AND THE SEARCH WARRANT IS 3:48 pm. Exhibit 32, ON PAGE 7, .

THIS IS VIOLATING MY WISCONSIN AND UNITED STATES CONSTITUTIONAL RIGHTS, UNDER THE 4 th AND THE 14 th AMENDMENTS.

Mark Wiegert LYING TO THE Judge FOX to have him to sign the Search Warrant, and Mr. Wiegert is being first duly sworn on OATH, states on information and belief that the facts tending to establish the ground for issuing a search warrant are as follows:

THE POLICE WERE ON THE PROPERT WITH OUT A SEARCH WARRANT AND THAT VIOLATED MY CONSTITUTIONAL RIGHTS, AND THE WISCONSIN CONSTITUTIONAL RIGHTS, AND THE UNITED STATES CONSTITUTIONAL RIGHTS.

THE POLICE OFFICERS WERE ON THE PROPERTY AT 11:10 A.M. WITH NO SEARCH WARRANT, SEARCH WARRANT AT 3:48 P.M. AND POLICE WERE ON THE PROPERT AT 11:10 A.M. WITH NO PERMISSION FROM THE OWNER. HONORABLE, ANGELA W. SUTKIEWICZ, THIS IS NOT THE LAW FOR WISCONSIN OR THE UNITED STATES.

AND THE POLICE DID NOT HAVE THE VIN NUMBER FOR PROBABLE CAUSE TO GET ON THE PROPERTY AT ALL, EXHIBIT 32, PAGE 5, with the VIN NUMBER BEING WRONG FOR THE VEHICLE.

THE POLICE FROM MANITOWOC COUNTY AND CALUMET COUNTY WERE ON PRIVATE PROPERTY, AND PRIVACY, WITH THE PROPERTY.

THE LAW ON SEARCH WARRANT IS ONE PROPERTY ONE WARRANT NOT for THREE PROPERTIES AND THE FEDERAL TO IS THE STATUTES ALSO.

I NEED THIS HONORABLE COURT TO PREDICT MY CONSTITUTIONAL RIGHTS.

THE STATE VIOLATING MY CONSTITUTIONAL RIGHTS ON A BAD WARRANT, AND THE STATE CANNOT VIOLATE ME BY A NO GGOD SEARCH WARRANT, SO THE STATE CANNOT BAR ME FROM THE COURT OF LAW ON A BAD SEARCH WARRANT WHICH THEY DID.

DATED THIS 8 day of September, 2015.

Steven Avery

RESPECTFULLY SUBMITTED,

STEVEN AVERY #122987
DEFENDANT/APPELLANT, PRO SE

WAUPUN CORRECTIONAL INSTITUTION
Post Office Box 351
Waupun, WI. 53963

C: Judge, Angela W. Sutkiewicz
D.A. Thomas Fallon
Clerk of Court Manitowoc County