

William M. Windsor
PO Box 150325
Dallas, Texas 75315
770-578-1094
bill@billwindsor.com

CASE NO. DR-14-503

Sean Boushie	§	IN THE DISTRICT COURT
Petitioner,	§	
v.	§	MISSOULA COUNTY
William M. Windsor,	§	
Respondent	§	MISSOULA, MONTANA

MOTION FOR DISCOVERY

Comes Now, William M. Windsor (“WINDSOR” or “RESPONDENT”) and files this MOTION FOR DISCOVERY. WINDSOR shows the Court as follows:

1. This is a case where the dishonesty of SEAN BOUSHIE is critical to WINDSOR’S case. SEAN BOUSHIE swore to the Court that WINDSOR had a gun in Montana and he was afraid.
2. WINDSOR has proof that he did not have a gun in Montana as SEAN BOUSHIE claimed in his petition. The only gun that WINDSOR has owned or had in his possession in the last 30 years was locked in a case on a top shelf in his now ex-wife’s home in Marietta, Georgia from February 8, 2013 to December 4, 2013. WINDSOR left his home on a filming trip in April and did not return until December 4, 2013. WINDSOR’S ex-wife will testify that when she separated

WINDSOR'S possessions from hers after the divorce on June 12, 2013, she removed the gun from the shelf and put it into a suitcase where it remained until WINDSOR came to Atlanta to retrieve his possessions on December 4, 2013. Barbara Windsor cannot come to Missoula Montana for the hearing, and she is a hostile witness. Therefore, WINDSOR seeks approval to conduct a short deposition by telephone.

3. MCA Rule 26 provides in civil matters that "Parties may obtain discovery...." MCA Title 46, Chapter 15 provides for discovery in criminal matters. The Uniform District Court Rules contain no rules limiting discovery. The Local Rules for the Fourth Judicial District do not contain any rules limiting discovery. The Uniform Municipal Court Rules of Appeal to District Court do not contain any rules limiting discovery. (See SWORN AFFIDAVIT OF WILLIAM M. WINDSOR DATED NOVEMBER 18, 2013, ¶163.) WINDSOR needs discovery to help him successfully defend against the lies of BOUSHIE. This violates Montana Constitution Section 24 - Rights of the accused and Montana Constitution Section 16 - The administration of justice.

4. Discovery is essential to proving that BOUSHIE has committed perjury in his entire Petition. A District Court Order cites *Lear v. Jamrogowicz* as authority that discovery is not allowed in orders of protection matters. The facts are not at all the same here. WINDSOR has an extraordinary need for discovery as

it is the only way to prove he is the victim. TOP's were not designed so that a stalker (BOUSHIE) can reinjure his victim (WINDSOR), but that is what has happened here, and WINDSOR'S rights to due process must be paramount. MCA Rule 26 provides in civil matters that "Parties may obtain discovery...." MCA Title 46, Chapter 15 provides for discovery in criminal matters. The Uniform District Court Rules contain no rules limiting discovery. The Local Rules for the Fourth Judicial District do not contain any rules limiting discovery. The Uniform Municipal Court Rules of Appeal to District Court do not contain any rules limiting discovery. Since BOUSHIE has lied under oath about sending emails, WINDSOR must be able to obtain discovery from BOUSHIE and others who have the evidence needed. Unfortunately, liars like BOUSHIE often get away with their lies in court proceedings. Discovery is the only way that WINDSOR will be able to prove the lies of BOUSHIE. Denying discovery to WINDSOR is a violation of Montana Constitution Section 24 - Rights of the accused and Section 16 - The administration of justice.

5. In this case, there are clearly "exceptional circumstances." Every claim by BOUSHIE has been directly controverted by WINDSOR, and WINDSOR has provided sworn testimony and properly authenticated evidence to prove that BOUSHIE has committed massive perjury.

6. It is essential that WINDSOR be given the opportunity to obtain the discovery that he needs to prove the lies of the PETITIONER.

7. For the reasons stated above, WINDSOR requests that this Court enter an order allowing the requested discovery and that Windsor's MOTION FOR DISCOVERY is granted.

Submitted this 18th day of August, 2014,

A handwritten signature in black ink that reads "William M. Windsor". The signature is written in a cursive style with a horizontal line underneath it.

William M. Windsor

PO Box 150325, Dallas, Texas 75315, 770-578-1094, bill@billwindsor.com

CASE NO. DR-14-503

Sean Boushie	§	IN THE DISTRICT COURT
Petitioner,	§	
v.	§	MISSOULA COUNTY
William M. Windsor,	§	
Respondent	§	MISSOULA, MONTANA

CERTIFICATE OF SERVICE

I hereby certify that I have served this by United States Postal Service
with sufficient postage to:

Quentin M. Rhoades
Alison Garab
Sullivan, Tabaracci & Rhoades
1821 South Avenue West, Suite 300
Missoula, Montana 59801

Submitted this 18th day of August, 2014,



William M. Windsor
PO Box 150325
Dallas, Texas 75315
770-578-1094
bill@billwindsor.com