

WILLIAM M. WINDSOR
MISSOURI COUNTY DETENTION CENTER
2340 MULLAN
MISSOURI, MT 59808

FILED APR 08 2015

SHIRLEY E. FAUST, CLERK
By *[Signature]*
Deputy

MONTEANA FOURTH JUDICIAL DISTRICT COURT, MISSOURI COUNTY

STATE OF MONTANA,
PLAINTIFF

DEPT. NO. 3

CAUSE NO. DC-14-509

-VS-

WILLIAM M. WINDSOR,
DEFENDANT

MOTION FOR CONSTITUTIONAL
RIGHTS

COMES NOW, WILLIAM M. WINDSOR, WHO FILES
THIS "MOTION FOR CONSTITUTIONAL RIGHTS," AND
SHOWS THE COURT AS FOLLOWS:

1. WILLIAM M. WINDSOR IS BEING HELD IN THE
MISSOURI COUNTY DETENTION CENTER ("MCDC").

2. WILLIAM M. WINDSOR IS REPRESENTING
HIMSELF PRO SE IN THIS AND SEVERAL
OTHER CIVIL AND CRIMINAL CASES IN TEXAS,
KANSAS, IDAHO, CALIFORNIA, SOUTH DAKOTA,
MISSOURI, AND MONTANA.

3. THE CONSTITUTION GIVES WILLIAM M.
WINDSOR THE RIGHT TO REPRESENT
HIMSELF IN COURT. THE UNITED STATES
SUPREME COURT SAID IN *BOARDS v*
SUITT THAT PRISONERS MUST BE GIVEN
ACCESS TO THE COURTS. JUSTICE SOUTHER

HAS STATED THAT THIS RIGHT EXTENDS TO ALL PHASES OF THE JUDICIAL PROCESS. THERE IS EXTENSIVE CASE LAW REGARDING PRISONER'S RIGHTS. PRISONERS HAVE EQUAL PROTECTION UNDER THE LAW AND THE RIGHTS TO ONE PROCESS.

4. DENIAL OF THE TOOLS NEEDED TO REPRESENT ONESELF TO THE BEST OF HIS ABILITY IS SIMPLY WRONG. THE PRO SE DEFENDANT ALREADY HAS LESS THAN ONE CHANCE IN 1,000 OF WINNING, SO THE TABLES MAY NOT BE HOPELESSLY TILTED BEFORE PRE-TRIAL PREPARATION BEGINS.

5. AT THE HEARING ON MARCH 27, 2015, THIS COURT SAID IT WOULD ADDRESS ALL ISSUES RELATIVE TO SELF-REPRESENTATION AT ONE TIME, IF IMPEDING THE CASE IS TO MOVE FORWARD ON THAT BASIS.

6. WILLIAM M. WINDSOR REQUESTS THE FOLLOWING:

(1.) USE OF BALL POINT PENS;

- (2) AUTHORIZATION TO PURCHASE MORE THAN ONE LEGAL PAD PER COMMISSARY ORDER;
- (3) WILLIAM M. WINDSON'S LAPTOP COMPUTER;
- (4) WILLIAM M. WINDSON'S HP ^{COPIER} PRINTER;
- (5) WILLIAM M. WINDSON'S SCANNER;
- (6) WILLIAM M. WINDSON'S COMPUTER, PRINTER, AND SCANNER SOFTWARE;
- (7) WILLIAM M. WINDSON'S EXTERNAL HARD DRIVE, FLASH DRIVE, AND THUMB DRIVE;
- (8) WILLIAM M. WINDSON'S SCOTCH TAPE;
- (9) ACCESS TO A PAIR OF SCISSORS BRIEFLY, IF NEEDED;
- (10) WILLIAM M. WINDSON'S PRINTER PAPER;
- (11) WILLIAM M. WINDSON'S PAID USE OF MARRIOTT'S GOAT CARRIAGES FOR PICKUP

AND DELIVERY OF COURT FILINGS,
OFFICE SUPPLIES, UPS AND FEDEX
SHIPMENTS, AND OTHER PICKUP AND
DELIVERY NEEDS;

(12) AUTHORIZATION TO EXCEED COMMISSARY
ORDER LIMITS ON ENVELOPES AND
MANILA ENVELOPES;

(13) WILLIAM M. WINDSOR'S SUPPLY
OF POSTAGE STAMPS;

(14) WILLIAM M. WINDSOR'S PROPOSED USE
OF UPS AND FEDERAL EXPRESS;

(15) WILLIAM M. WINDSOR'S CO'S OF ^{HE'S} ONLINE
RADIO TALK SHOWS TO LISTEN TO ON HIS
LAPTOP COMPUTER TO IDENTIFY EVIDENCE;

(16) WILLIAM M. WINDSOR'S VERIZON WI-FI
HOT SPOT SO HE CAN ACCESS SITES NEEDED
FOR LEGAL RESEARCH AND EVIDENCE ONLY,
INCLUDING VERSUSLAW.COM, GOOGLE,
YAHOO, LAWLESSAMERICA.COM, AND
WILLIAM M. WINDSOR'S EMAIL ACCOUNTS;

(17) ABILITY FOR WILLIAM M. WINDSOR TO
MAKE PREPAID TELEPHONE CALLS BY

His expense;

(18) ACCESS TO A TELEPHONE BOOK AND DIRECTORY ASSISTANCE OR APPROVAL TO USE INTERNET SEARCH ENGINES FOR THAT PURPOSE;

(19) APPROVAL TO USE THE INTERNET AS A THESAURUS OR TO ALLOW WILLIAM M. WINDSOR TO PURCHASE A THESAURUS IF ONE IS NOT AVAILABLE IN THE LAW LIBRARY;

(20) UNLIMITED ACCESS TO THE LAW LIBRARY;

(21) ACCESS TO CASE LAW, ^{STATUTES, AND RULES} IN GEORGIA, TEXAS, MONTANA, IOWA, KANSAS, MISSOURI, AND SOUTH DAKOTA;

(22) INTERNET ACCESS TO YOUTUBE, FACEBOOK, AND CRAIGSLIST FOR EVIDENCE;

(23) APPROVAL TO USE THE INTERNET AS A DICTIONARY OR TO ALLOW WILLIAM M. WINDSOR TO PURCHASE A DICTIONARY IF ONE IS NOT ALWAYS AVAILABLE IN THE

(32) AUTHORIZATION TO WORK ALL WORKING HOURS ON THIS DATE ON SUNDAY WITHIN THE MONTH OF NOVEMBER AND WILLIAM M. WINDSON'S OTHER CASES.

LEGAL LIBRARY;

(24) WILLIAM M. WINDSON'S READING GLASSES;

(25) READING LIGHT PURCHASED BY WILLIAM M. WINDSON;

(26) CHAIR WITH A BACK AND A SEAT CUSHION;

(27) CHECKS ON WILLIAM M. WINDSON'S PERSONAL BANK ACCOUNT TO USE TO PAY FEES AND UTILITY PURCHASES;

(28) WILLIAM M. WINDSON'S STAPLER, STAPLES, AND STAPLE REMOVER FOR LIMITED USE WITH SCANNING FILES TO COURTES AND SERVICE COPIES;

(29) WILLIAM M. WINDSON'S RULER;

(30) WILLIAM M. WINDSON'S COLORED HIGHLIGHTER FELT TIP PENS;

(31) AUTHORIZATION FOR MOUNTAIN GOAT

CONDITIONS OF A HIRED HELPER TO PICK UP AND DELIVER FILES, TYPING, AND SUPPLIES; AND

7. THE RIGHT OF ACCESS TO THE COURTS EXTENDS TO ASSISTANCE FOLLOWING THE FILING OF A COMPLAINT.

"IT MAKES SENSE THAT THE OBLIGATION
TO ASSIST PRISONERS WITH THEIR LEGAL
CLAIMS EXTENDS TO ALL STAGES OF
THE LITIGATION." (JOHN BOSTON,
OVERVIEW OF PRISONERS' RIGHTS, 130
(2009).) (SEE ALSO MARSHALL V.
KNIGHT, 445 F.3D 965 (7th Cir.
2006).) MARSHALL IS A CASE WHERE
A PRISONER HAD SEVERELY
LIMITED TIME IN THE LAW LIBRARY.

B. THERE ARE MANY CASES ABOUT
DENIAL OF THE RIGHT OF ACCESS TO
THE COURTS DONE IN A VARIETY OF WAYS.
(SEE CHANCELL V. PHILLIPS, 169 F.3D
313 (5th Cir. 1999); COOY V. WEBSTER,
256 F.3D 764 (8th Cir. 2001); MYERS
V. HUNDLEY, 101 F.3D 542 (8th Cir. 1996);
BENJAMIN V. KERIK, 102 F. Supp. 2d
1054 (N.D. Iowa 2003); SIMPKINS
V. BRUCE, 406 F.3D 1239 (10th Cir.
2005); AMEN-RA V. DEPARTMENT
OF DEFENSE, 961 F. Supp. 256
(D. Kan. 1997); RANSON V. VAUGHAN,
2000 WL 873285 (E.D. Pa. 2000);

DAVIS V. BRUCE, 215 F.R.D. 612
(D. Kan 2003); BOOTH V. KING,
346 F. SUPP. 2d 751 (E.D. Pa. 2004);
LYNCH V. LEIS, 382 F. 3d 642,
2004 FED. APP. 0288 P (6th Cir. 2004);
CERT DENIED, 125 S. Ct 1709, 161 L. Ed. 2d
528 (U.S. 2005); COLLINS V. GOORD,
438 F. SUPP. 2d 399 (S.D. N.Y. 2006);
GAY V. SHANNON, 211 FED. APP. 113,
(3d Cir. 2006); DECKER V. DUNBAR,
200 S.W. 3d 807 (TEX. APP. TEXARKANA 2006);
TINSLEY V. GIOKLA, 2008 WL 901697
(E.D. Pa. 2008); JOHNSON V. BARCZAK, 338
F. 3d 771 (7th Cir. 2003); PENNIN V. KERNAN,
528 F. SUPP. 2d 1020 (S.D. Cal. 2007); ABREU
V. RAMIREZ, 284 F. SUPP. 2d 1250 (C.D. Cal. 2003);
LILLIE V. MATHEWS, 2003-0410-4467, 2003 WL 21998789
(OHIO Ct. App. 12th DIST. MADISON COUNTY 2003);
CORSEPI V. MCGINNIS, 24 FED. APP. 238 (6th Cir
2001); DEWITS V. KEATON, 2003 WL 22719522
(N.D. TEX. 2003); TAYLOR V. ONEY, 2004 WL
609335 (D. DEL. 2004); PEARSON V. SIMMS,
345 F. SUPP. 2d 515 (D. Md. 2003); ORDOZCOA V. B,
88 FED. APP. 639 (4th Cir 2004); GILMORE
V. GOORD, 361 F. SUPP. 2d 528 (W.D. N.Y. 2005);
MOORE V. SCHWETZLE, 354 F. SUPP. 2d
1065 (D. N.D. 2005) AFF'D 172 FED.
APP. 133 (8th Cir. 2006).

9. SEVERAL CASES SPECIFICALLY ADDRESS
INTERMEDIATE HOURS PER WEEK IN THE
LAW LIBRARY. (SEE HEWES V. MCGUIRE,
350 F. SUPP 2D 222 (D. ME 2004);
HARVEY V. SWYDER, 335 ILL. APP 3d
347, 269 ILL. DEC. 131, 780 N.E. 2d 316
(3d DIST. 2002), AS MODIFIED ON DENIAL
OF REHE'G (NOV. 27, 2002), AND APPEAL
DENIED, 203 ILL. 2d 546, 273 ILL DEC.
137, 788 N.E. 2d 728 (2003).)

11. WILLIAM M. WINDSOR'S LEGAL SITUATION
IS MUCH MORE COMPLICATED THAN
ANY OF THE CASES HE HAS READ.

WHEREFORE, WILLIAM M. WINDSOR PRAYS
THAT THIS COURT ISSUE AN ORDER
AUTHORIZED BY ALL 32 ITEMS REQUESTED
IN PARAGRAPH 6 ABOVE.

THIS 3RD DAY OF APRIL 2015,

William M. Windsor

WILLIAM M. WINDSOR

10. WILLIAM M. WINDSOR IS 66.5 YEARS OLD HE IS
SEVERELY CRESTROPHIC. HE HAS ARTHRITIS IN BOTH HANDS
A VERY BAD TENDON, A TORN ROTATOR CUFF IN HIS
RIGHT SHOULDER, AND A T. J. JOINT ABDOMINAL TENDRIP
HERNIA. HE NEEDS THIS REQUESTED RELIEF IN PART DUE TO HIS MEDICAL
CONDITION.

AFFIRMATION

I, WILLIAM M. WINDSOR, SWEAR UNDER
PENALTY OF PERJURY THAT ALL
STATEMENTS OF FACT HEREIN ARE
TRUE AND CORRECT BASED UPON MY
PERSONAL KNOWLEDGE.

THIS 3RD DAY OF APRIL 2015,
William M. Windsor
William M. Windsor

CERTIFICATE OF SERVICE

I HAVE MAILED A COPY OF THIS TO
JENNIFER CLARK, DISTRICT MISSOULA
COUNTY ATTORNEY, MISSOULA COUNTY
COURTHOUSE BLDG, MISSOULA,
MONTANA,

THIS 6TH DAY OF APRIL 2015,
William M. Windsor
William M. Windsor