

WILLIAM M. WINDSOR
MISSOULA COUNTY DETENTION CENTER
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FILED MAY 07 2015

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

7:15 PM '15

MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

STATE OF MONTANA,
PLAINTIFF

- vs -

WILLIAM M. WINDSOR,
DEFENDANT

DEPT. NO. 3

CASE NO. DC-2014-509

MOTION TO MODIFY
SCHEDULING ORDER

COMES NOW WILLIAM M. WINDSOR, DEFENDANT,
WHO FILES THIS "MOTION TO MODIFY SCHEDULING
ORDER," AND SHOWS THE COURT AS FOLLOWS:

INTRODUCTION

1. TWO WEEKS IS NOT ENOUGH TIME FOR WILLIAM
M. WINDSOR TO PREPARE FOR THE PRE-TRIAL
CONFERENCE. WILLIAM M. WINDSOR HAS
RECEIVED ONLY 14 PAGES OF EVIDENCE
FROM THE PROSECUTION DESPITE REQUESTS
THAT HAVE BEEN LONG OUTSTANDING.
WILLIAM M. WINDSOR'S REQUESTS TO
DEPOSE THE STATE'S WITNESSES HAVE
BEEN IGNORED. WILLIAM M. WINDSOR'S
CONSTITUTIONAL RIGHTS HAVE BEEN

DENIED TESTS AND TREATMENT FROM HIS JAIL CELL. IT WILL BE ANOTHER SIGNIFICANT VIOLATION OF WILLIAM M. WINDSOR'S RIGHTS IF HE HAS TO PRODUCE ETHICS LISTS AND WITNESS LISTS WITHOUT OBTAINING DISCOVERY.

FACTUAL BACKGROUND

1. WILLIAM M. WINDSOR HAS BEEN INCARCERATED FOR 131 DAYS. HE HAS BEEN DENIED ACCESS TO HIS EVIDENCE, LEGAL FILES, COMPUTER, LEGAL RESEARCH, ^{AND MORE} WHILE INCARCERATED. WILLIAM M. WINDSOR'S MOTION FOR CONSTITUTIONAL RIGHTS WAS DENIED BY THIS COURT.

3. WILLIAM M. WINDSOR SENT A DISCOVERY REQUEST TO THE PROSECUTION ON OR ABOUT APRIL 3, 2015. NOTHING WAS EVER PROVIDED.

4. WILLIAM M. WINDSOR SIGNED THE OMNIBUS MEMORANDUM ON APRIL 21, 2015. IT SAYS THE PROSECUTION TURNED OVER ALL EVIDENCE AT THAT TIME. NOTHING WAS PROVIDED.

So on May 5, 2015, William M. Windsor received 14 pages from Public Defender Christopher Daly that he says is all the evidence from the prosecution. This is hard to believe as there was nothing other than what appears to be a post-arrest police report.

6. William M. Windsor has been asking the prosecution for weeks about arrangements for depositions, requesting available dates. No dates have even been provided. And as a pro se party, William M. Windsor has to obtain approval of the court.

7. On May 6, 2015 at 7:30 PM, William M. Windsor received the "Criminal Jury Trial Preparation Order" setting May 29, 2015 as the pre-trial conference. William M. Windsor is supposed to have exhibit/witness binders prepared by then.

Argument

8. WILLIAM M. WINDSOR NEEDS TIME TO SUBPOENA EVIDENCE AND DEPOSE WITNESSES. 16 DAYS IS INADEQUATE AND CONSTITUTES A SIGNIFICANT VIOLATION OF WILLIAM M. WINDSOR'S DUE PROCESS RIGHTS AND RIGHTS TO A FAIR TRIAL.

9. SUBPOENAS TO TWITTER, AT & T, FACEBOOK, AND SEAN BRUSHIE'S EMAIL ACCOUNTS WILL LIKELY TAKE MONTHS. MOST OF THESE COMPANIES ARE IN CALIFORNIA WHERE WILLIAM M. WINDSOR WILL HAVE TO FILE A CIVIL ACTION AGAINST EACH COMPANY TO OBTAIN DISCOVERY DUE TO A CALIFORNIA LAW.

10. WILLIAM M. WINDSOR HAS IMPORTANT WITNESSES IN GEORGIA, FLORIDA, TEXAS, CALIFORNIA, IOWA, AND OTHER STATES THAT WILL REQUIRE TRAVEL FOR DEPOSITIONS.

11. WILLIAM M. WINDSOR NEEDS TESTIMONY FROM JUDGE SAM WARREN, JUDGE JOHN W. LARSON, JUSTICE JIM BARTLEY, AND JUDGE THOMAS A. HAYNES. THESE JUDGES HAVE BUSY SCHEDULES AND MAY HAVE DEPOSITIONS.

12. WILLIAM M. WINDSOR HAS SENT REQUESTS FOR IMPORTANT DOCUMENTS TO POLICE DEPARTMENTS, COURT CLERKS, AND OTHERS. NO ONE HAS RESPONDED.

13. IF THIS IS TO BE A KANGAROO COURT, WILLIAM M. WINDSOR MAY BE FOUND GUILTY WHEN HE IS ABSOLUTELY INNOCENT. AMERICANS ARE NOT SUPPOSED TO HAVE KANGAROO COURTS. WILLIAM M. WINDSOR'S RIGHTS WILL BE COMPLETELY DISREGARDED UNLESS THE SCHEDULING ORDER IS CHANGED.

WHEREFORE, WILLIAM M. WINDSOR PRAYS THAT THIS COURT ENTER AN ORDER THAT:

a. THE TRIAL DATE IS MOVED TO MID
AUGUST 2015;

b. THE PRE-TRIAL CONFERENCE
DATE IS MOVED TO JUNE 26, 2015;

c. THE PROSECUTION IS TO PRODUCE
ALL EVIDENCE TO WILLIAM M.
WINDSOR IMMEDIATELY AND
FILE AN ITEMIZED LIST WITH
THE COURT;

d. WILLIAM M. WINDSOR WILL BE
GRANTED FURTHER EXPENSIONS
IF NECESSARY BECAUSE OF
PROBLEMS OBTAINING EVIDENCE
AND WITNESS TESTIMONY; AND

e. SUCH OTHER RELIEF AS
THE COURT FEELS IS APPROPRIATE.

THIS ON THE DAY OF MAY 2015,

William M. Windsor

WILLIAM M. WINDSOR

MISSOURI COUNTY DETENTION CENTER

2340 MULLIN ROAD

MISSOURI, MT 59808

AFFIRMATION

I AM INCARCERATED AND DO NOT HAVE ACCESS TO A NOTAR. I SWEAR UNDER PENALTY OF PERJURY THAT THE FACTS STATED HEREIN ARE TRUE AND CORRECT BASED UPON MY PERSONAL KNOWLEDGE.

THIS 6th DAY OF MAY 2015,

William M. Windsor
WILLIAM M. WINDSOR

CERTIFICATE OF CONFERENCE

I TRIED TO CALL JEWELER CLARK, BUT I WAS UNABLE TO REACH HER.

THIS 6th DAY OF MAY 2015,

William M. Windsor
WILLIAM M. WINDSOR

CERTIFICATE OF SERVICE

I HAVE SENT THIS TO THE CLERK
OF THE COURT WITH A REQUEST
FOR ONE COPY SO I MAY MAIL
IT TO JENNIFER CLARK.

THIS 6TH DAY OF MAY 2015,

William M. Windsor
WILLIAM M. WINDSOR