

William M. Windsor
110 E Center Street #1213
Madison, SD 57042
Telephone: 770-578-1094
bill@billwindsor.com
Defendant, Pro Se

**MONTANA FOURTH JUDICIAL DISTRICT COURT
MISSOULA COUNTY**

State of Montana,	§	Dept. No. 3
Plaintiff,	§	Cause No. DC-14-509
	§	REPLY TO RESPONSE TO
v.	§	MOTION FOR STAY
William Michael Windsor,	§	AND CONTINUANCE OF
Defendant.	§	PRE-TRIAL CONFERENCE

COMES NOW William M. Windsor, Defendant, and files this “Reply to the State’s Response to the Defendant’s Motion for Stay and Continuance of Pre-Trial Conference,” and shows the Court as follows:

1. In her Response, Jennifer Clark states: “Neither the State nor the police department told Mr. Windsor that the U.S. Attorney’s Office was considering making this a federal case. The U.S. Attorney’s Office is not filing charges.”
2. While this word combination might be literally true in her mind, it deceives this Court about what took place.
3. The Missoula County Attorney’s Office and Missoula Police Department conveyed to William M. Windsor orally that the U.S. Attorney’s Office was considering making this a federal case.
4. Jennifer Clark and Missoula Police Department Detective Chris Shermer essentially laughed in William M. Windsor's face about the U.S. Attorney

for Montana considering criminal charges against him for Tweeting, emailing, publishing, and producing a movie.

5. William M. Windsor heard exactly what Jennifer Clark and Chris Shermer said as did attorney Christopher Daly. But, once again, Missoula County Attorney Jennifer S. Clark presented false information to the Court.

6. Chris Shermer came into the lobby of the Missoula County Attorney's Office on August 17, 2015 laughing. He looked at William M. Windsor with a big grin on his face, and said, "did you know you have committed federal crimes?" William M. Windsor told him he had never committed a crime. Chris Shermer said that by putting things on the Internet from Texas, William M. Windsor was in interstate commerce, and that made the charges federal crimes. (This would mean a potential sentence of 30 years in prison, meaning life for an old man like William M. Windsor.)

7. Then after the last of the witness interviews for the day, Jennifer Clark turned to William M. Windsor with a grinning face and asked him if Chris Shermer had discussed the federal matter with him. William M. Windsor said he had. Then she said she had spoken with the U.S. Attorney's Office about it. William M. Windsor asked what they were going to do, and she replied that he would have to hear that from them. Attorney Christopher Daly who was there from the Missoula Public Defender's Office told William M. Windsor that he would know when U.S. Marshals arrested him. BIG, BIG smiles on the faces of Jennifer S. Clark and Chris Shermer. And all of this was discussed in front of the State's star witness, Sean Boushie, and his wife, Wynette Boushie.

8. Christopher Daly has provided a statement confirming what took place. His email is attached as Exhibit A. He said:

"Jen and William: Here is my recollection of what took place at the witness interview of Mr. Boushie on Monday, August 17th concerning possible

Federal involvement in the case. When I arrived at the County Attorney's office a few minutes before the interview, William Windsor was speaking with Det. Chris Shermer. I participated in that conversation as well. At one point, Detective Shermer said to William Windsor something to the effect that (none of my recollections are exact quotes) you know that what you did is also a Federal crime. William Windsor responded that he has done nothing wrong so it couldn't possibly be a Federal crime. At the conclusion of the interview, Jennifer Clark informed William Windsor that she had contacted the Federal authorities about his case. William Windsor said when will I know if they are going to do anything and I interjected saying you will know when the Marshalls scoop you up. William Windsor and I did leave the interview with the impression that there was a possibility that the case could be turned over to the Federal authorities although we were not specifically told that. Chris Daly"

9. When William M. Windsor wrote an article about this online, he received several emails from Missoula County Attorney Jennifer Clark saying he had misrepresented the facts. She threatened William M. Windsor with sanctions. True and correct copies of the emails are attached as Exhibit B.

10. First, William M. Windsor never misrepresented anything. Second, Jennifer Clark has filed absolutely false pleadings with the courts. Third, her star witness has lied about virtually everything and misrepresented a massive amount of information, and she simply allows him to do it.

11. Now this threat of sanctions is interesting as is her refusal to explain what William M. Windsor allegedly misrepresented. William M. Windsor is preparing a complaint against her with the Montana Bar Association as well as a Motion for Sanctions with this Court.

12. Jennifer Clark subsequently filed her Response to William M. Windsor's Motion.

13. Being as charitable as possible to attorney Jennifer Clark, this is a line from the Bill Clinton Book of Honesty: "I did not have sexual relations with that woman, Miss Lewinsky." "Receiving oral sex is not sexual relations."

14. Neither Jennifer Clark nor Chris Shermer used the exact words that she included in her court filing. But, Rule 3.3 of the Montana Rules of Professional Conduct requires "candor to the tribunal." Candor is defined as "the state or quality of being frank, open, and sincere in speech or expression." There is nothing frank, open, or sincere in deceiving this Court about what took place. William M. Windsor believes Jennifer Clark made these federal comments to try to scare him into accepting her misdemeanor plea bargain with no time served. A true and correct copy of this is attached as Exhibit C.

15. If the U.S. Attorney has William M. Windsor indicted pursuant to a federal statute for violation of a protective order, this cause will have to be dismissed. It doesn't make sense to move forward with this cause until that decision has been made. This Court must not believe what Jennifer Clark has written in her Response because she has not been honest in this matter.


16. One additional bit of information for the Court. Sean Boushie has threatened to do bodily harm to William M. Windsor dozens of times. He sent an email to him taking credit for an exploding car on the Interstate saying he had shot at William M. Windsor and missed. Evidence of this is in the record. Sean Boushie attended the first hearing in this matter, and he laughed at William M. Windsor and pointed his hand at him as if it was a gun. Jennifer Clark allowed Sean Boushie to attend his witness interview wearing a National Rifle Association T-shirt. Both Sean Boushie and his wife, Wynette, apparently had concealed handguns, and neither Jennifer Clark nor Chris Shermer would do anything about it

and would not let William M. Windsor ask about it. Jennifer Clark's actions in this case have been beyond outrageous.

WHEREFORE, William M. Windsor prays that this Court enter an order that:

- a. William M. Windsor's motion is granted;
- b. the Pre-trial Conference is canceled until the stay is lifted;
- c. this cause shall remain stayed until the last federal appeal by William M. Windsor is decided;
- d. this cause shall remain stayed until the U.S. Attorney's Office indicts William M. Windsor or advises that it will not pursue federal charges; and
- e. for such further relief as the Court feels is appropriate.

This 22nd day of August 2015,



William M. Windsor

AFFIRMATION

I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

This 22nd day of August 2015.



William M. Windsor

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion by email to Jennifer Clark at jsclark@co.missoula.mt.us.

This 22nd day of August 2015,



William M. Windsor

Exhibit

A

Subject: witness interview on Monday August 17th

From: Daly, Christopher (CDaly@mt.gov)

To: jsclark@co.missoula.mt.us; windsorinmontana@yahoo.com;

Date: Wednesday, August 19, 2015 2:58 PM

Jen and William: Here is my recollection of what took place at the witness interview of Mr. Boushie on Monday, August 17th concerning possible Federal involvement in the case. When I arrived at the County Attorney's office a few minutes before the interview, William Windsor was speaking with Det. Chris Shermer. I participated in that conversation as well. At one point, Detective Shermer said to William Windsor something to the effect that (none of my recollections are exact quotes) you know that what you did is also a Federal crime. William Windsor responded that he has done nothing wrong so it couldn't possibly be a Federal crime. At the conclusion of the interview, Jennifer Clark informed William Windsor that she had contacted the Federal authorities about his case. William Windsor said when will I know if they are going to do anything and I interjected saying you will know when the Marshalls scoop you up. William Windsor and I did leave the interview with the impression that there was a possibility that the case could be turned over to the Federal authorities although we were not specifically told that . Chris Daly

Exhibit

B

Subject: False information

From: Jennifer Clark (jsclark@co.missoula.mt.us)

To: windsorinmontana@yahoo.com;

Date: Tuesday, August 18, 2015 2:57 PM

Mr. Windsor:

I have been advised of information you posted on your website that I told you to expect Federal Charges. This is a misrepresentation and I would like you to correct the false information that you are sharing.

thank you

Subject: Re: False information
From: William Windsor (windsorinmontana@yahoo.com)
To: jsclark@co.missoula.mt.us;
Cc: cdaly@mt.gov;
Date: Tuesday, August 18, 2015 6:03 PM

I published that you told me it was in the hands of the U.S. Attorney. That was what both Christopher Daly and I understood. As you will recall, he then said that I should not be surprised (or should expect ...not sure which) some Federal Marshals to come grab me.

May I ask who you spoke with at the U.S. Attorney's Office? I'd like to speak with them.

I will post your email and my response online. I'll check what someone else may have written to be sure the proper story is reflected.

I would never intentionally misrepresent anything that you say.

From: Jennifer Clark <jsclark@co.missoula.mt.us>
To: windsorinmontana@yahoo.com
Sent: Tuesday, August 18, 2015 2:57 PM
Subject: False information

Mr. Windsor:

I have been advised of information you posted on your website that I told you to expect Federal Charges. This is a misrepresentation and I would like you to correct the false information that you are sharing.

thank you

Subject: Re: False information

From: Jennifer Clark (jsclark@co.missoula.mt.us)

To: windsorinmontana@yahoo.com;

Cc: cdaly@mt.gov;

Date: Tuesday, August 18, 2015 7:05 PM

You did misrepresent what I said because I never said it was in the hands of the U.S. Attorney's office. You have made several misrepresentations and if it continues during trial, I will ask for sanctions. Your recklessness with the facts is concerning.

On Aug 18, 2015, at 6:03 PM, William Windsor <windsorinmontana@yahoo.com> wrote:

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From: William Windsor (windsorinmontana@yahoo.com)

To: jsclark@co.missoula.mt.us;

Cc: cdaly@mt.gov;

Date: Tuesday, August 18, 2015 7:45 PM

What misrepresentations? You say I have made several. Let's hear them.

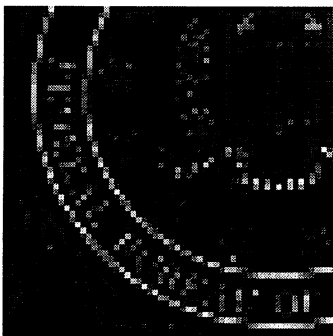
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I have no desire to misrepresent facts. You do it too well.

I need my freedom of information documents. May I send a courier to pick them up tomorrow?

I will update this article with your latest email:

Bill Windsor is still Out of Prison - Update on Possible Federal Criminal Charges



Bill Windsor is still Out of
Prison - Update on Possible...

Bill Windsor is still Out of Prison - Update
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View on lawlessamerica.com

Preview by Yahoo

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Subject: DC-14-509: Motion for Stay due to Federal Investigation

From: William Windsor (windsorinmontana@yahoo.com)

To: jsclark@co.missoula.mt.us;

Cc: cdaly@mt.gov;

Date: Tuesday, August 18, 2015 8:51 PM

Ms. Clark:

I want to let Judge Haynes know about the federal issue. I will file a motion on Wednesday seeking another stay pending the results of the federal investigation. It makes no sense to move forward with this state court action if it gets dropped for a federal court action.

Will you oppose the motion?

If you want to type up exactly what has happened with the feds, I will include it in the motion.

Thank you.

From: William Windsor <windsorinmontana@yahoo.com>
To: Jennifer Clark <jsclark@co.missoula.mt.us>
Cc: "cdaly@mt.gov" <cdaly@mt.gov>
Sent: Tuesday, August 18, 2015 7:45 PM
Subject: Re: False information

What misrepresentations? You say I have made several. Let's hear them.

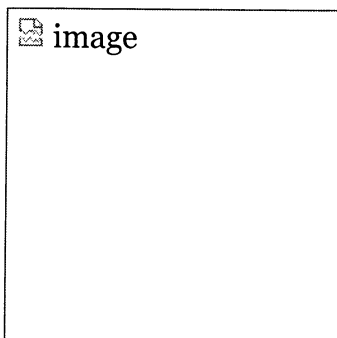
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I have no desire to misrepresent facts. You do it too well.

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thank you

Subject: Re: DC-14-509: Motion for Stay due to Federal Investigation

From: Jennifer Clark (jsclark@co.missoula.mt.us)

To: windsorinmontana@yahoo.com;

Cc: cdaly@mt.gov;

Date: Tuesday, August 18, 2015 10:56 PM

I oppose your motion.

On Aug 18, 2015, at 8:51 PM, William Windsor <windsorinmontana@yahoo.com> wrote:

Ms. Clark:

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Will you oppose the motion?

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Thank you.

From: William Windsor <windsorinmontana@yahoo.com>

To: Jennifer Clark <jsclark@co.missoula.mt.us>

Cc: "cdaly@mt.gov" <cdaly@mt.gov>

Sent: Tuesday, August 18, 2015 7:45 PM

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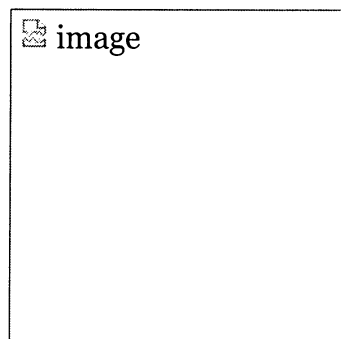
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thank you

Subject: DC-14-509: Motion for Stay and Continuance just filed - Federal Investigation Issue

From: William Windsor (windsorinmontana@yahoo.com)

To: jsclark@co.missoula.mt.us; cdaly@mt.gov;

Date: Wednesday, August 19, 2015 8:33 AM

Motion for Stay and Continuance just filed.

According to the explicit terms of the Stay Order, I understand there will be no conference on Friday.

Chris, please advise what you understood Chris Shermer and Ms. Clark to say about federal crimes by me and involvement of the U.S. Attorney. Thanks.

Subject: Re: DC-14-509: Motion for Stay and Continuance just filed - Federal Investigation Issue

From: Jennifer Clark (jsclark@co.missoula.mt.us)

To: cdaly@mt.gov; windsorinmontana@yahoo.com;

Date: Wednesday, August 19, 2015 9:13 AM

your motion is inaccurate. There is not a federal investigation and I never said that it was in the hands of the US attorney. I will be asking for sanctions unless you withdraw your motion and make it factually accurate.

>>> William Windsor <windsorinmontana@yahoo.com> 8/19/2015 8:32 AM >>>

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From: William Windsor (windsorinmontana@yahoo.com)

To: jsclark@co.missoula.mt.us; cdaly@mt.gov;

Date: Wednesday, August 19, 2015 9:21 AM

Well, what did you say? And what did Chris Shermer say? What are the facts? I asked you to provide this information previously, and you did not do so.

Please answer these questions:

1. What did you say at the conclusion of the Boushie session?
2. With whom have you spoken at the U.S. Attorney's Office?
3. What did Chris Shermer say to me in the lobby?
4. Has the U.S. Attorney's Office considered making this a federal case?
5. Specifically what would you have me edit in my motion?
6. What would the sanctions be for?

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To: Christopher Daly <cdaly@mt.gov>; William Windsor <windsorinmontana@yahoo.com>

Sent: Wednesday, August 19, 2015 9:13 AM

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From: Jennifer Clark (jsclark@co.missoula.mt.us)

To: cdaly@mt.gov; windsorinmontana@yahoo.com;

Date: Wednesday, August 19, 2015 1:15 PM

I said I spoke to the US attorney's office. Please correct or withdraw your false filing and postings. Additionally, the case will not be going federally.

>>> William Windsor <windsorinmontana@yahoo.com> 8/19/2015 9:21 AM >>>

Well, what did you say? And what did Chris Shermer say? What are the facts? I asked you to provide this information previously, and you did not do so.

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From: William Windsor (windsorinmontana@yahoo.com)

To: jsclark@co.missoula.mt.us; cdaly@mt.gov;

Date: Wednesday, August 19, 2015 1:47 PM

Who did you speak with at the U.S. Attorney's Office? What did they say?

I will speak with them and am waiting to hear from Chris Daly before I do anything with the court. I didn't make a false filing, and I didn't make any false postings.

If you want to seek sanctions against me, go for it. I shall do the same. I am also preparing my Bar Complaint against you. It covers this issue, the false pleadings filed in District Court, the false claims that you have evidence that I intentionally violated any law, the claim that I violated a statute that has no relevance to this case whatsoever, the bogus charges, charging me for felonies when Montana law does not allow that, having me arrested in Texas where BY STATUTE the TOP was INVALID, playing attorney John Smith to run up my legal bills, concealing the Texas information from me, the absence of jurisdiction, the aiding and abetting perjury by Sean Boushie, the failure to provide Freedom of Information request, the failure to pursue felonies by Sean Boushie that were presented to you, fraud upon the court, lack of candor to the tribunal and me in claiming I could not leave the state. I'm sure there will be more by the time I am finished.

In the meantime, I am posting a new article with your email announcing that it appears I am not going to be charged with federal crimes.

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Exhibit

C

1 JENNIFER CLARK
2 Deputy County Attorney
3 KIRSTEN H. PABST
4 Missoula County Attorney
5 Missoula County Courthouse
6 Missoula, Montana 59802
7 (406) 258-4737
8 Attorneys for Plaintiff

9 MONTANA FOURTH JUDICIAL DISTRICT COURT, MISSOULA COUNTY

10 STATE OF MONTANA,
11
12 Plaintiff,

13 -vs-

14 WILLIAM MICHAEL WINDSOR,
15
16 Defendant.

17 Dept. No. 3

18 Cause No. DC-14-509

19 **PLEA AGREEMENT**

20 Offered August 07, 2015

21 COMES NOW JENNIFER CLARK, Deputy County Attorney, WILLIAM
22 MICHAEL WINDSOR, Defendant, and submit the following agreement as the
23 appropriate disposition for resolution of the above-entitled cause.

24 **AGREEMENT**

25 The above-named Defendant agrees to enter a plea of guilty to the
offense(s) of COUNT I: VIOLATION OF ORDER OF PROTECTION - 1ST
OFFENSE, a Misdemeanor, in violation of Mont. Code Ann. §45-5-626;

1 COUNT III: VIOLATION OF ORDER OF PROTECTION – 1st OFFENSE, a
2 Misdemeanor, in violation of Mont. Code Ann. §45-5-626.

3 In return for the plea of guilty, the parties agree to recommend,
4 pursuant to 46-12-211 (1)(b) M.C.A., that the following sentence is the
5 appropriate disposition of the case:
6

7
8 **1 Violation of Order of Protection -1st offense**

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Finding	Total Sentence	Time Suspended	Deferral Date	Confinement Facility	Concurrent; Consecutive; Comment
Guilty	6 months	All but time already served		MCDF	

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13 **2 Violation of Order of Protection**

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Finding	Total Sentence	Time Suspended	Deferral Date	Confinement Facility	Concurrent; Consecutive; Comment
DISMISSED					

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17 **3 Violation of Order of Protection- 1st offense**

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Finding	Total Sentence	Time Suspended	Deferral Date	Confinement Facility	Concurrent; Consecutive; Comment
GUILTY	6 months	All suspended		MCDF	consecutive

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4 Violation of Order of Protection

Finding	Total Sentence	Time Suspended	Deferral Date	Confinement Facility	Concurrent; Consecutive; Comment
DISMISSED					

5 Violation of Order of Protection

Finding	Total Sentence	Time Suspended	Deferral Date	Confinement Facility	Concurrent; Consecutive; Comment
DISMISSED					

SPECIAL CONDITIONS OF SENTENCE:

1. Defendant shall obey all laws;
2. Defendant shall pay cost of prosecution in the amount of \$50.00.
3. Defendant shall pay surcharge of \$85 on each count.
4. Defendant shall grant a permanent order of protection to Sean Boushie, Wynette Boushie and the University of Montana.
5. Defendant shall obtain a mental health evaluation by a state approved treatment provider/facility, at his own expense and follow all recommendations of said evaluation.
6. Defendant specifically agrees that he is willing and able to pay the monetary obligations under this agreement.

1 7. Defendant shall have no contact with the victim(s) or their
2 immediate family members by any means including written,
3 telephone, electronic device, by a third party or in person.

4 **OTHER TERMS OF AGREEMENT**

5 By signing below and by accepting the benefit of this agreement
6 the Defendant expressly waives any right to appeal and any claims for
7 post-conviction relief, including but not limited to claims of ineffective
8 assistance of counsel.

9 The State agrees to dismiss three counts.

10 The State agrees to reduce COUNT III to a misdemeanor first
11 offense.

12 This offer expires on August 14, 2015, unless changed in writing.
13 The recommendation is conditioned upon the Defendant breaking no
14 additional laws or violating conditions of release before sentencing.

15 **ACCEPTANCE**

16 I the undersigned Defendant, after full discussion of the charge(s) and
17 penalties with my defense counsel, and after being fully advised of my rights
18 to a jury trial, my understanding of my right to persist in my plea of not guilty
19 and to demand a jury trial, do hereby accept the above offer and agree to
20 enter plea(s) of guilty to the charge(s) specified. I hereby knowingly waive all
21 objection to any substantive defect in said charge(s) and my right to a jury
22 trial on the charge(s). I further understand that the offer made by the State is
23 dependent upon the accuracy of my criminal history as I have represented it.
24 My criminal history is as set out in the State's file. I understand that the Court
25 is not bound by this Agreement and may impose the maximum penalty for the

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offense(s) charged, but that if the Court chooses not to follow this plea bargain, I shall be so informed and allowed to withdraw my plea(s) of guilty.

WILLIAM MICHAEL WINDSOR
Defendant

Date: _____

JENNIFER CLARK
Deputy County Attorney

Date: _____