FILED
ORIGINAL March 2 2010
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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In the Supreme Court of the State of Montana

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PR 06-0120

Addendum: to Motion to Disqualification of Judge Deschamps; Affidavit of Caryl Wickes-Connick & Marilynn Kriechbaum

This affidavit is offered by us in support of LM.'s Emergency Motion to Reconsider Disqualification of Judge Deschamps in the Criminal Case against LM.

On February 16, 2010 we were both in the pretrial hearing. LM.

Both LM. and Suzy Boylan told the Judge that neither of them would

be prepared for a March 1, 2010 trial. Judge Deschamps denied the States request as well as LM's request to postpone the trial. Judge Deschamps expressed exasperation and his personal want to have the case over with as soon as possible stating, "LM Your not my only case Ms. [redacted]" to which LM replied, "This are my children and this is my only case Your Honor."

Judge Deschamps and S. Boylan discussed several items back and forth between themselves and Judge Deschamps refused every attempt by LM. to participate and or comment, even as the Court was making decisions without allowing LM to participate.

Finally LM said to the Judge, "Your honor I am Pro Se, and you and the State are creating a record and making decisions without me - and you MUST allow

me to Participate in the Proceedings."

Judge Deschamps then allowed LM 15 minutes to speak. Judge Deschamps had started the hearing by commenting that he had seen and read "every piece of evidence" submitted by LM. He had also stated that he understood that the children had disclosed that their father was "touching their vaginas" and that they told many different stories to everyone. Judge Deschamps told LM also explaining that he understood that LM reported to "everyone" but that none of the professionals believed LM."

When LM spoke for her 15 minutes she explained to the Judge that the children had not just disclosed to her, but that they had disclosed sexual abuse, emotional abuse

and physical abuse by their father, by their father's girl friend and by Ann O'connel the Guardian ad Litem for over 6 months. LM told Judge Deschamps that the children had disclosed to (4) four different counselors (2 of which are Phd's) to CFS, to First Step, to a Ravalli County Sheriff and to LM, to the Guardian Ad Litem and to a school counselor.

LM explained that only one of those professionals made their mandated report. LM also told the Court that the professionals did originally believe the children, but that Ann O'connel was maliciously lying about LM to the professionals to undermine LM. LM told Judge Deschamps that the evidence she had submitted in her Motion to Dismiss was banned by the Court by misapplying 403(b). LM told the Court she was not prepared & did not have the case

law in front of her, but the Supreme Court was clear in other rulings stating that 403(b) was to be applied to specific evidence and could not be applied over the entire case.

LM explained many things to the Court regarding the Guardian Ad Litems lies to the police, to the court and to CFS. LM explained that this evidence showed that her arrest warrant and the prosecution were based on these lies. LM asked the Judge to Order the State to file a brief on the legality of prosecuting her on known documented lies by the GAL.

Judge Deshamps told LM that he was not going to allow any of the evidence to be seen by the jury and directed LM to "forget about the Guardian Ad Lim".

Judge Deschamps also told LM that as he understood it LM's children had disclosed that their father was, "touching their vaginas and this was irrelevant."

LM asked Judge Deschamps if he had children or daughters. Judge Deschamps replied that he did. LM asked him if he touched his children's vaginas.

Judge Deschamps asked LM repeatedly how much time she needed to respond to the States Motions and for the trial.

LM told the Judge that she believed that his disqualification was mandatory and that he should not see the case at all until the Supreme Court Ruled.

Judge Deschamps ruled that the hearing would be on March 1.

At the beginning of the trial Judge Deschamps told LM that "OE, the Respondent, her exhusband, or her ex "boyfriend" or whatever their relationship was" LM discussed this with us later because LM had never informed the Court that they were common law married.

Both Suzy Boyland and Judge Deschamps denied that LM had ever requested pretrial hearings and that the Judge had denied her Motions.

We have both been in various hearings since Oct 2009, where LM repeatedly requested hearings S. Boylan agreed the hearings were necessary and Judge Deschamps refused LM's Motions for hearings.

Judge Deschamps also told LM that the March 1, 2010 trial had

never been moved from the March 1, 2010 date, but I caryl Wickes Connick was told by Chris Daly that the Judge approached him telling him that the trial had been cancelled.

Caryl Wickes-Connick 3/1/2010

We offer this affidavit for CM.

Caryl Wickes-Connick 3/1/2010

Marilyn A Kuedlum 3/01/2010

Certificate of Service

On March 1, 2010 I did send by US postal mail a copy of the foregoing to

Judge Deschamps
S. Boylan
the original to the Supreme Court and 7 copies CM

[redacted] 3·1·10

STATE OF Montana COUNTY OF Missoula
This instrument was acknowledged before me on 3-1-2010
by CARYL WICKES-CONNICK
MARILYN F. KRIECHBAUM
Signature of notarial officer (seal, if any)
Florita Mulkey
Name (typed, stamped or printed) FLORITA MULKEY
Title (and Rank) NOTARY PUBLIC
(Residing at) MISSOULA, MONTANA
My Commission Expires

FLORITA MULKEY NOTARIAL SEAL STATE OF MONTANA

FLORITA MULKEY
NOTARY PUBLIC for the
State of Montana
Residing at Missoula, Montana
My Commission Expires
February 21, 2014