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May 19, 2008

Martin J. Lipske
Iron County District Attorney
Courthouse – 300 Taconite St.
Hurley, WI 54534

Re: **TRUTH DOES NOT FEAR INVESTIGATION**

Dear Mr. Lipske,

I am writing today to ask you some very important questions that need to be answered, and it is your duty to answer these questions and address the issues they present. Also please be advised that this letter will be posted on the internet. Should you choose to honor your sworn oath of office and address my questions and the very serious issues they present, your reply will likewise be published on the internet.

My questions are as follows:

Connie Vargovich complained to you that she was a ‘victim’ of crimes which she falsely claimed were committed by me. Then, without a warrant or any preliminary investigation whatsoever, you promptly had me arrested and charged with crimes.

QUESTION 1: Was it your policy then or now to arrest people based solely upon what you are told, and without any investigation whatsoever?

Contrasting my arrest based solely on Connie’s word is the fact that, from the moment of my arrest, I began complaining to you and police that I was being falsely accused by Connie Vargovich, and it is a crime to falsely accuse someone. However, Connie was not arrested on my word that she was committing crime and you conducted no investigation whatsoever into any verifiable fact I had provided you.

QUESTION 2: Is it your policy to ignore allegations of any particular type or specie of crime, or allegations made by or against any particular class of person, which policy, written or silent, would cause you to neglect or refuse to investigate my specific and well substantiated allegations of crime?

As part of her false complaints against me, Connie also told you I “held her against her will” and “allowed her to make only one phone call.” But I told you to obtain my home phone records and explained that they will prove she made and received many calls and thus prove she falsely accused me, a crime committed within your prosecutorial unit.

QUESTION 3: What legitimate reason do you have for failing to obtain my home phone records prior to my trial?

QUESTION 4: What legitimate reason do you have for your ongoing failure to obtain these records despite the fact I have continually complained to you for the last decade that I am both falsely accused and wrongly convicted and indicate that these records would further substantiate my claims?

Connie presented bruises, the worst of which were 2-weeks old, and I told you Connie informed me that her other boyfriend, Mr. Kim Aijala, caused the bruising when she spent nights at his house. At trial, Connie even admitted she was inside his home in the middle of the night just hours before my arrest despite the protection order she had on Aijala which claimed he beat and bruised her. I told you to question Mr. Aijala, who then moved out of town after my arrest and returned only after I was in prison.

QUESTION 5: What legitimate reason do you have for failing to question Mr. Kim Aijala before and since the time of my trial?

Connie wrote in her police reports and testified that a sexual assault was “in progress” during the time her sister Michelle Vargovich came to my house. She claimed that this sister knocked on the door, that I told her to 'go away', the sister left, and an assault then resumed. Yet while I was in jail, I kept telling you that this sister is an EYEWITNESS to the fact there was NO assault and told you to contact Michelle, who would tell you she did come to my house, did knock on the door, but that I did NOT send her away but had instead invited her inside where she then spent 10-minutes gathering items she had left there the night before while visiting my home.

QUESTION 6: What legitimate reason do you have for failing to consult this critical eyewitness prior to my trial?

QUESTION 7: What legitimate reason do you have for failing to consult this eyewitness since the time my trial?

I obtained information from various sources indicating you DID speak to Michelle Vargovich prior to trial, and she indicated to you that she was in fact invited in by me, observed no assault of any kind or any type of commotion while in my home, and has in fact told you that her sister Connie falsely accused me.

QUESTION 8: Did you or did you not speak with eyewitness Michelle Vargovich prior to or since my trial?

QUESTION 9: If your answer is that you have not spoken with Michelle Vargovich, please provide some explanation as to why Michelle would say she did speak with you prior to my trial, why she would claim she did tell you that there was no assault, and as to why you do not question her now?

I have written to you many times over the last decade, asking you one simple question: "Did you talk to Michelle Vargovich prior to or since my trial?" But you never answer.

QUESTION 10: Why do you refuse to answer this one simple question?

Connie claimed I assaulted her "from midnight until 4am, when Don finally fell asleep." But I told you she didn't get home until after 4am, and to prove this I asked you to obtain the records for my home phone and the Hurley Citgo station payphones, which would prove Connie had called me from a Citgo payphone at 3:49am and prove she wasn't even at my home during the time she claimed she was assaulted. But you refused to investigate the records. Attorney McDonald obtained them, and these certified records, now a part of the court file in this case, prove Connie did exactly that, which she also admitted at trial. The records further prove that she testified falsely when answering 12-questions at trial.

QUESTION 11: What legitimate reason do you have for failing to obtain these critical, readily available telephone records prior to my trial?

A review of these certified phone records conclusively establishes that Connie falsified her accusations against me and then falsely answered twelve material questions at trial in regards to her use of the payphones, and she did so to embellish her story so as to make it more plausible and believable to a jury. The records are conclusive and prove beyond any doubt that she has committed the crimes of false swearing and the crime of perjury.

QUESTION 12: What legitimate reason do you have for not prosecuting Connie for falsifying police reports, testifying falsely under oath at a preliminary hearing and at a trial?

QUESTION 13: How do you justify having prosecuted me for assaulting Connie "from midnight until 4am" (at which time she claimed I "fell asleep"), when it is now conclusively established that she was IN TOWN during that time?

Upon my arrest, before trial, and since the time of my trial, I have been constantly demanding lie-detector testing of any and all types, even offering to be injected with the so called chemical truth serum, sodium pentothal. But my initial request was denied, and I have been consistently ignored since then.

QUESTION 14: What legitimate reason do you have for refusing to allow me to undergo any or all forms of lie detector testing, especially since law enforcement uses such testing as a normal part of routine investigation?

QUESTION 15: Why do you FEAR INVESTIGATION, Mr. Lipske?

During a pre-trial hearing, you clearly stated on record that you had discovered “falsely accused information” in Connie’s police reports, but when Judge Madden gave you a dirty look, you followed up with this statement: “But the state isn’t looking for any at this time.” So you recognize that Connie has in fact made false statements in police reports, yet you said you were not bothering to check into her habit of making false claims.

QUESTION 16: Given the above facts, and the additional fact that I was constantly complaining to you about being falsely accused by Connie, what possible legitimate reason could you have for “not looking for any” false statements made by Connie Vargovich in her police reports?

Connie was sent to the Grand View Hospital in Ironwood, MI, for a physical exam and to obtain biological samples for a ‘rape test kit’ to be sent to a crime lab for testing. But at a pretrial hearing, you stated you were planning to destroy the “remainder” of that kit. But my attorney and I did not want it destroyed, wanted it tested, and so asked the judge to allow us to see it to ensure that it still existed. The reason you gave on record for wanting to destroy the kit was: “It is taking up a lot of room in the sheriff’s refrigerator.” We then went to the Sheriff’s Department where you showed us the kit, sitting in the refrigerator.

QUESTION 17: Why did you tell the judge “the kit is taking up a lot of room in the sheriff’s refrigerator” when, except for the kit itself and a few cans of 7-Up, the sheriff’s refrigerator was actually empty?

When we saw the kit in the refrigerator, I noticed that both integrity seals on the kit were torn through. When I pointed that out to my attorney and said this indicates the kit was already tested, you quickly slammed the refrigerator door and ushered us away.

QUESTION 18: If the kit was tested, why do you conceal the test results?

QUESTION 19: If the kit was not tested, who tore the integrity seals, which are to be breached only by crime lab technicians when actually testing the kit?

QUESTION 20: If someone other than a crime lab technician tore the seals on this critical evidence, what possible reason would he or she have for doing so?

When requesting to destroy this kit, you referenced it as the “remainder” of the kit. It is common knowledge that TESTING of biological samples in a rape kit consumes a portion of the samples. Therefore, TESTING leaves behind a “remainder” of the kit.

QUESTION 21: If the kit was not tested, please explain why you used the word “remainder” when referring to this kit?

Though I repeatedly demanded testing of the kit to prove someone else’s DNA was there, you have not confirmed or denied having had the kit tested. Now is your opportunity.

QUESTION 22: A very simple question: Was the kit tested, or was it not?

Just before trial my attorney asked where the kit was, but you just looked down and refused to answer. Then the judge asked you. You said, "I threw it away." Witnesses heard this. Therefore, despite the fact you were denied permission to destroy the kit and knew that my attorney and I wanted it tested to determine whether my DNA was there or whether someone else's DNA was (such as Mr. Kim Aijala's), you destroyed it anyway.

QUESTION 23: Why did you destroy the only DNA evidence in this case?

A few years later, Attorney Dall'Osto wrote to you asking for the photos and rape kit so we could send them to an expert to prove my innocence. You responded by claiming the photos were 'not available', that the kit was 'lost', and stated that you had Deputy Roy Foryan investigate, who, you said, conducted an investigation, interviewed several people, and searched for the kit, but without success. I followed up on your claim by writing to the court clerk to ask her why the photos were not available. She answered by saying they were available and sent me copies. I also wrote to Deputy Foryan and asked him for details of the investigation you claimed he conducted. He answered by saying that he had "No involvement whatsoever in any such investigation."

QUESTION 24: Why did you say the photos were "unavailable" when in fact they were available?

QUESTION 25: Why did you tell my attorney that the rape test kit was "misplaced" when you previously confessed that you had thrown it away?

QUESTION 26: Why did you tell Attorney Dall'Osto that you had Deputy Roy Foryan conduct an investigation when in fact you previously disposed of the kit and there had been no such investigation by Deputy Roy Foryan?

At trial, you told the jury Connie returned to my home with Deputy Joe Robinson after my arrest, and you and Connie told the jury that she had recovered damaged clothing from my house while there with Robinson. You and Connie claimed that she had given him the clothes while she was there and that he had placed them into a plastic bag which you displayed to the jury. Though you and Connie were in fact **lying** to the jury, Deputy Robinson refused to lie under oath for you. When asked by you to verify this false story in front of the jury, Robinson decided to answer truthfully by unequivocally denying that he had recovered any clothing from my home at any time. Apparently hoping he would change his mind and lie for you, you repeated your question, but Robinson once again denied the story you and Connie told the jury. You were so upset by this that a recess was called. I went back to the jail and thanked Deputy Robinson for having refused to lie for you. Robinson answered me by saying, "I'm not lying for that son-of-a-bitch."

QUESTION 27: Why did you lie to the jury about the clothing?

QUESTION 28: Not long after trial, and after 13-years on the police force, Deputy Joe Robinson was fired. Was it because **he refused to lie for you**, and therefore refused take be part in Iron County's good ol' boy network?

You sent Connie for a physical examination at the Grand View Hospital in Ironwood, Michigan and obtained biological samples for the now 'missing' rape test kit.

QUESTION 29: Since this is a Wisconsin case and there are Wisconsin hospitals nearby, why did you send Connie to a Michigan hospital instead?

Undisclosed to me then was the fact that Judge Madden was sitting on the Board of Directors at the Grand View Hospital so had authority and influence over doctors employed or under contract there, including Dr. Lanny Robins, the doctor who examined Connie and obtained the biological samples. You called Dr. Robins to trial to testify that it was "medically certain" Connie was "sexually assaulted." As you know, the legal definition of 'sexual assault' of a competent adult is 2-part: 1.) sexual contact; 2.) without consent. As you also know, the law does not allow any doctor to testify that a competent adult was 'sexually assaulted' because no doctor has knowledge concerning issue of consent, it is overly prejudicial, and usurps a jury's role as sole determiners of credibility.

QUESTION 30: Why did you allow this doctor to unlawfully so testify?

Under examination by my attorney, Dr. Robins made some shocking admissions when testifying that he had no idea who or what caused bruising on Connie (which she claimed Aijala caused), admitted he found no injuries consistent with her specific claims (said she was punched in the face 15-times, yet he found no marks or injury to her face; said she was choked and strangled, yet no marks or injury to her neck; said her head was banged repeatedly into a truck, yet no marks or injury to her head, etc.), admitted that the sexual aspect of his exam was "normal", had found no injury there, and his own lab found no male biological material. Therefore, not only did Dr. Robins have no knowledge of the contested issue of consent, he also found NO MEDICAL EVIDENCE of any sexual contact and his exam had proved Connie's specific claims to be false.

QUESTION 31: Since it is your responsibility to instruct your witnesses as to what the law precludes them from saying, why then did you allow Dr. Robins to give prohibited and medically baseless opinion testimony?

Another physician, far more experienced than Dr. Robins, reviewed Dr. Robins' report and trial testimony and finds that report and testimony to be "medically baseless" and "appalling." Also, after trial, the Grand View Hospital advised me that Judge Madden was on their Board of Directors during the time Dr. Robins examined Connie and during the time of my trial. Both you and Judge Madden failed to disclose this fact before trial.

QUESTION 32: Explain how Dr. Robins, or any doctor, can say it is "medically certain" someone was "sexually assaulted" when he has NO evidence of the 'sexual contact' element, and NO knowledge of the 'consent' element.

QUESTION 33: Since Judge Madden had influence over Dr. Robins at the hospital, is this the reason why you sent Connie there rather than to a hospital in Wisconsin, because you knew Dr. Robins would say whatever you wanted?

When the police officer was at my home, he heard Connie's story and watched her rant and rave like a mad person and unlike any victim would act. He refused to arrest me. Connie's mother arrived to help move Connie out of my home and she asked police NOT to arrest me. She knew Connie was playing games so didn't want me arrested.

QUESTION 34: If Connie wasn't famous for falsely accusing people, and if her own mother believed anything Connie was saying, why would the mother ask police to not arrest me?

QUESTION 35: Though trying hard to obtain my arrest at my home, Connie failed and became angry at police for not arresting me. Why do you believe Connie was unable to come up with any story serious enough to cause my arrest?

Deputy Robinson was an experienced officer trained to gather facts to ascertain whether probable cause exists for arrest. Robinson listened to Connie's story, watched how she acted, determined no crime had occurred, and directed Connie to pack up and move out

QUESTION 36: Deputy Robinson found no probable cause for arrest. How did you later, from your office, determine there was probable cause for arrest after an experienced officer on the scene determined there wasn't?

You used all leading questions of Connie at trial and she, of course, answered all your questions with prearranged rehearsed responses. However, when questioned by my attorney regarding basic details of her own story, Connie now suffered a mysterious lapse of memory and claimed she just couldn't remember anything being asked of her. In fact, she had answered all your questions, but then failed to answer 70% of the relevant material questions that she was asked by my attorney regarding her own story.

QUESTION 37: Do you have any explanation at all, other than not wanting to be caught in inconsistency and lies, as to why Connie could not answer seven out of ten questions regarding her own story?

Because Connie's first story had failed to cause my arrest, she went to the police station and filled out a multiple choice domestic violence worksheet, on which she circled claims she never made before and would never make again in any subsequent statement or testimony. Her first written police report, submitted at this time, denied rape. Later, after being told by my cousin I would post bail and go home and contradicting her original complaint, she now changed her story to claim rape. Her story continued to change so much that even Connie herself admitted at trial that her story was very inconsistent and that the charges being tried in court were not the original complaints she gave to police.

QUESTION 38: Why is Connie unable to tell the same story twice, and what reason, besides lying, would she have for 6-different stories on record?

QUESTION 39: Why do you think her initial complaint denied rape, but when she was told I would be released and go home, she changed her story?

Connie has multiple criminal convictions in Michigan, several resulting from telling lies to police officers on different occasions. Prior to trial we obtained a court order directing you to turn over all criminal records of your witnesses. But you concealed Connie's criminal records from us, which my attorney then had to discover on his own.

QUESTION 40: Why did you conceal Connie's criminal records from us?

QUESTION 41: Though I was telling you Connie was falsely accusing me and offering you proof, you investigated nothing in this case. In light of that, and because you knew she had criminal convictions involving telling lies to police, wouldn't any competent prosecutor recognize the fact that an extra thorough investigation of Connie's claims was required in this case?

Connie had protection orders in Michigan against a variety of people, all based on claims such as fear for her life, that she was physically attacked, weapons were used against her, that she was beaten and bruised, will be assassinated, etc. All these other people claim Connie falsely accused them, and none were prosecuted by Michigan authorities. Also, while I sat in jail awaiting trial on her false accusations here, Connie proceeded in a Michigan court against another man, Ken Grenfell, making all kinds of claims against him that are very similar to complaints she made against me and others. She claimed Mr. Grenfell was going to kill her, kill her family, was going to shoot up her house, tried to kill her, etc. Grenfell's defense was that Connie was lying and Michigan authorities, having experience with Connie, refused to charge Grenfell. We also have information that Connie accused a prior boyfriend of rape, and she also claimed rape at other times.

QUESTION 42: Either Connie is the world's most victimized woman, or she is a false accuser. Which of these do you think is more accurate?

Connie claimed I beat her, raped her, pointed a gun at her, but then admitted at trial that, only four days after these claimed events, she had me host a birthday party for her son and three of her friend's children during a sleep over birthday party for her son at my home while she worked until 11:00 pm. She left me alone with 4-children for 12-hours.

QUESTION 43: If I beat, raped, and pointed a gun at Connie a few days earlier, do you really think she, or any mother, would allow me to be alone with her child and her closest friend's children, while she worked until late at night?

Connie testified at trial that she had been planning to move out of my home for 2- weeks prior to the date of my arrest, but my attorney got Connie to admit that, during this two week period, she had instead ordered and installed her own satellite dish, prepaid a year's worth of programming, ordered and had installed her own telephone line, and also planned and hosted a housewarming party.

QUESTION 44: Do the facts outlined above, all admitted by Connie herself at trial, suggest to you that she was planning to move out of my home, or do they indicate that she was instead planning on staying in my house?

Connie testified that I had been abusive for months, but her medical records obtained by my attorney demonstrate that she visited her personal physician just a few weeks before my arrest and show that her doctor questioned Connie as to how things were going in her life and how she was getting along with her newest boyfriend (me). Connie told her doctor I was treating her so well that she did not know how to deal with it, explaining how she just wasn't used to such good treatment from a boyfriend.

QUESTION 45: If Connie wasn't falsely accusing me, why do you think she testified I had been abusive for months, but told her physician in private that I was treating her so well she didn't know how to deal with such **good** treatment?

I have sent you copies of affidavits and statements of witnesses who personally heard Connie threaten to falsely accuse me if I ever broke up with her, and also the affidavit of Alan Prezkop, who swears that not long after my trial Connie approached him and said to him, "I don't know why I did this to Don, he didn't do anything wrong to me." The affidavit describes how Connie's sister Heather then pulled Connie away from him just as soon as she said this, saying "Come on Connie, let's go, you're hanging yourself."

QUESTION 46: If I was guilty of any crime, would Connie tell people I did "nothing wrong" to her, and why would her sister yank Connie away and warn her that she was "hanging herself" by making such a statement?

QUESTION 47: Did you interview any person who made these statements and affidavits, and have you questioned Connie and her sister Heather about this?

QUESTION 48: If not, exactly why not?

After failing to obtain my arrest, Connie went to the police station and was given a worksheet containing multiple choice suggestions that gave her new ideas for new false claims. She now claimed I had pointed a red-laser light projecting pistol at her, and this caused my arrest. Police were adamant about finding this weapon so questioned me about it. I told them I never owned any such gun and told them to search my home, business, and vehicles, which they did. But no such weapon existed and police failed to find any. Now, even though the red-laser pistol was the central theme of the story that caused my arrest, she downplayed it at trial, saying she "wasn't sure about that part" of her story.

QUESTION 49: Since the red-laser sighted pistol was a central theme of the story that caused my arrest, why would Connie now downplay that part of her story after learning no such weapon was found despite exhaustive searches?

You showed the jury a gun taken off a shelf in my house and told them it was the one Connie described. But this perfectly legal registered pistol had no light projecting device.

QUESTION 50: How do you explain the fact there was no light projecting device on this gun and why, if someone committed a crime with a laser-sighted gun, wouldn't he HIDE THE GUN itself and not just the sight off of the gun?

I requested public records from Sheriff Bruneau that contain proof that you knowingly used perjury at my trial, that Connie committed perjury, and containing information concerning acquisition, testing, and disposition of the allegedly “missing” evidence in my case. Bruneau is required by law to either provide the requested records, or give sufficient legal reason why he won’t or can’t. However, Bruneau failed to respond and my attorney sent him a letter requesting that NO records be destroyed in this case. Sheriff Bruneau has since announced that he destroyed the requested public records that contain exculpatory evidence and proof that crimes have been committed against me.

QUESTION 51: It is a felony to not perform the mandatory duties of a public office, to conceal public records, to destroy evidence, and to destroy public records. So why don’t you prosecute Robert Bruneau for such crimes?

Recently, Robert Bruneau was discovered illegally siphoning money from the county as personal income. He claimed he “didn’t know it was illegal” to take money not belonging to him. The amount was nearly \$40,000.00, and no one contests this was illegal. Anyone else taking that amount of money from an employer without authorization would immediately be prosecuted by you for theft. You would laugh if their defense was that they “didn’t know it was illegal.” After all, isn’t “ignorance of the law no excuse?”

QUESTION 52: Why not prosecute Mr. Bruneau for theft or misconduct?

After my trial, Sheriff Bruneau told me, “Miller, if you only knew what was really going on here, I would have to let you go right now.” He refused to tell me what he was talking about. During trial, Deputy James Wicklund told my brother the very same thing.

QUESTION 53: Exactly what were they talking about, Mr. Lipske?

QUESTION 54: If you say you do not know, then why don’t you find out?

Unrelated, but relevant, I was violently attacked by on duty police officer Tim Mieloszyk 9-months prior to my arrest here, suffered chemical burns to my eyes, and Mieloszyk issued \$1,200.00 in false tickets. This unprovoked assault was witnessed and I provided you with witness statements proving Mieloszyk committed a felony battery. This was the first case presented to you after you became DA. But rather than question anyone, you refused to see to me, then on the day scheduled to be heard in court on this matter you did not appear, and the courtroom was locked. When I kept demanding investigation and Mieloszyk’s arrest, I was threatened with “big trouble” if I didn’t “go away.” But I did not stop complaining, and did find myself in ‘big trouble’ when prosecuted by you on false charges. After my wrongful conviction, Mieloszyk went on beating others, so Ashland officials convicted him of felony assault. You refused to assist them in any way.

QUESTION 55: Why didn’t you protect my rights as a victim of violent crime by investigating and prosecuting Tim Mieloszyk for his felony battery?

QUESTION 56: Why didn’t you assist Ashland officials in his prosecution?

After a lot of evidence was gathered proving that crimes were committed against me, proving I am falsely accused and wrongfully convicted, and that you know all of this, a website was started to publish this evidence for all to see and we had a local newspaper advertise these sites. Right away, you and Connie Vargovich began complaining to the newspaper and demanded removal of this ad. They refused to obey your commands.

Shortly thereafter I was hauled before a prison captain who told me, "DA Marty Lipske called and said you have been calling Connie Vargovich to threaten and harass her." If true, this is a felony and would cause severe disciplinary action by the prison. But it did not work as you planned. Officials investigated phone records, found your complaint to be "baseless," and dismissed your complaint. I told the newspaper about this so a reporter contacted you and you told her "Connie lied", which is your admission Connie DOES falsely accuse me when angry (she didn't like the website exposing her), and corroborates my trial defense that Connie was falsely accusing me because she was angry at me then.

QUESTION 57: You now admit Connie has falsely accused me. So, can you now admit that this corroborates my trial defense that Connie was falsely accusing me because she was angry because I had directed her to move out of my home?

QUESTION 58: You now admit Connie has falsely accused me. Since making false accusations is a crime, why haven't you charged her with this crime?

Our entire community views the evidence on the websites and recognizes gross injustice in my case. The entire community is now on my side, as are all of Connie's friends. In fact, her friends have corroborated everything I say about Connie regarding psychiatric problems, her threats to 'make me pay' if I broke up with her, that she falsely accused others, that she is violent, revengeful, manipulative, and a prolific liar. All who know her best are now publicly professing my innocence and demanding justice for me.

QUESTION 59: How do you view the fact that all of Connie's best and closest friends are now on my side and demanding justice for me?

Several friends of Connie and Judge Madden have come forward to reveal that Connie and Madden were socially-sexually involved with each other for years prior to my trial and during the time she lived with me. Madden failed to disclose this, thus depriving me of a neutral judge guaranteed by the constitution, of a fair trial, and an issue for direct appeal. His failure to fully disclose is also an ethics violation, a breach of public trust, and misconduct in office. Further, because he has a fiduciary duty to all parties appearing before him, who have a right to know all facts they might find relevant to the issue of his recusal, Judge Madden also committed fraud by failing to disclose. Further, Madden couldn't even keep his paws off her until after my trial, as witnesses watched him and Connie hugging and squeezing in the courthouse hallway during a break in my trial!

QUESTION 60: The now exposed relationship between Judge Madden and Connie entitles me to a new trial. Did you know of their relationship prior to trial?

In early 2008, based upon a complaint submitted by Ms. Tamra Coyne, you had three local men arrested for 1st degree sexual assault. However, you later asked Judge Madden to dismiss the charges because you found Coyne's statements to be "inconsistent" and you "couldn't place" these men with her at the time of an alleged assault. Judge Madden dismissed the charges. A newspaper quoted you as saying charges will be brought against Coyne if you discover any "false" statements by her, and shortly thereafter you announced that Coyne was in fact charged with multiple felony and misdemeanor crimes.

As you know, our websites publish voluminous proof that Connie falsely swore, gave false statements to police; testified falsely under oath at a prelim hearing and trial; admitted my innocence to witnesses after trial; falsely accused others; has criminal convictions for lying to police; has documented psychiatric defects; an eyewitness knows I am falsely accused; phone records prove she committed perjury when answering many material questions; at a pretrial hearing you admitted there is "falsely accused information" in Connie's police reports; you admit she falsely accused me after trial, which prompted your call to the prison; phone records now part of this case prove she wasn't even at my home during a claimed assault she claimed had lasted "from midnight until 4 am"; the doctor's own exam disproved the specifics of her story, etc., etc.

QUESTION 61: Can you admit that evidence proving Connie Vargovich committed crime is FAR greater than is the evidence against Tamra Coyne?

QUESTION 62: Please explain why other men were released from custody because the accuser's statements were 'inconsistent' yet I'm still in prison after providing you a TON of solid proof well establishing I am falsely accused?

QUESTION 63: Can you explain WHY Connie is not being prosecuted for the same crimes Coyne is now being prosecuted for, where the evidence against Connie is FAR greater in strength than is the evidence against Coyne?

QUESTION 64: Based upon all established facts, do you agree that any rational, prudent person could logically conclude Connie Vargovich is not being prosecuted because of her relationship with Judge Madden, and that Tamra Coyne is being prosecuted because she was not involved with Judge Madden?

QUESTION 65: If some other factor exists, please explain your reasons for unequal and disparate treatment between myself and the other three men, and for unequal and disparate treatment of Tamra and Connie.

Connie and an eyewitness have been professing my innocence. Though afraid to come forward out of fear of prosecution, she clearly is looking to throw in the towel and ease her conscience and all of her friends are now on my side and demanding justice for me.

QUESTION 66: Why do you think all of Connie's friends support me?

QUESTION 67: Why are you so AFRAID to even question Connie?

For over 10-years now, my family and I have been making lawful requests for copies of public records of which you are custodian, which records are not subject to any exemptions under the public records law. You are required by law to provide access to the requested public records, and you know concealing or destroying public records is a crime, as is your failure to perform all required duties of your office. But you have consistently failed to comply with law that requires you to either provide the requested public records or give sufficient legal reasons as to why you cannot or will not comply.

QUESTION 68: Why are you concealing the requested public records?

QUESTION 69: Why do you refuse to comply with mandatory duties imposed upon you by Wisconsin's public records statutes, §§ 19.31 et seq.?

I have complained to you that Tim Mieloszyk committed felony battery; complained that Judge Madden denied me access to the court in 1997; that Connie Vargovich falsely accused me, swore falsely, and committed perjury; that Sheriff Bruneau is concealing and destroying public records containing evidence of crime; that Judge Madden again denied me access to the court in 2006 and 2007; that Connie again falsely accused me in the summer of 2005 (as you admit); and a woman came forward concerning Judge Madden having solicited sexual favors from her in exchange for his corrupt rulings in her divorce case. All such documented actions comprise felony crimes and the taxpayers of this state and Iron County pay YOU to investigate and prosecute these crimes that have been committed within your prosecutorial district. It is your JOB to investigate and prosecute.

QUESTION 70: Please explain why you do not prosecute these crimes?

You certainly know it is the district attorney's duty to pursue JUSTICE in every case in which he is involved. Yet I, my family, and community are still waiting for justice in my case. Until such time that you recognize your duty to provide the missing justice by taking full responsibility and leading the way to my release, you remain in breach of the duties required of your public office, in breach of your sworn oath, and in betrayal of the public trust. Based upon the extraordinary and unprecedented dynamics of this particular case, your refusal to assist me clearly demonstrates gross irresponsibly, incompetence, corruption, and participation in a criminal conspiracy. I have just a few more questions for you to answer honestly, then myself and my community will await your answer.

QUESTION 71: Are the circumstances, established facts, documentation, witnesses, and evidence now available to you more consistent with Connie being a victim of crime, or more consistent with me being a victim of her false accusations and perjury?

Not one person who has reviewed all the evidence in this case believes me guilty, Mr. Lipske. That is why my entire community, including all of Connie's friends, are now on my side and demanding my release. Voluminous irrefutable objective evidence proving me falsely accused, wrongfully convicted, and a victim of crime and corruption is so crystal clear that it would not even be remotely plausible for you to deny this.

Because the answer to QUESTION 71 is so self evident in that it is so very well proven, incontestable, and recognized by everyone looking into this matter that I am a victim of false accusations and other crimes committed by Connie Vargovich and others:

QUESTION 72: Please explain why I am still in prison being deprived of my freedom, life, family, all enjoyments of life, and being forced by YOU to continue suffering in this living hell every minute of every day.

My current attorney, Raymond M. Dall'Osto, who is well respected in Wisconsin's legal community for his legal competence and abilities, stated to me:

“Nobody believes you are guilty anymore, Don.
The only reason you are still in prison is because they are afraid that if they let you go you will come out swinging lawsuits like a Billy-club and beat everyone down.”

QUESTION 73: Is Attorney Dall'Osto absolutely correct, or is he wrong?

Since the day of my arrest, everything I have told you has been objectively proven to be absolutely true, and I have repeatedly challenged you to point out one single word I have said at any time that is not true. But you have been unable to do so.

QUESTION 74: Can you admit, at least to yourself, that everything I have told you from the day of my arrest, up to this very minute, is absolutely **true**?

Comments by Connie's best friends, which I sent to you, also indicate everything I told you about Connie is **true**. All of her closest friends know she has falsely accused me and are demanding justice for me. And, as you know, Connie testified that I had been abusive for months prior to my arrest, which was not true. I treated her very well and did all I could to help her. Interestingly enough, Connie visited her personal physician for a check-up just 2-weeks prior to my arrest. Her doctor asked how I was treating her and Connie answered I was treating her like a queen. She told her doctor she “didn't know how to deal with it” because she wasn't used to such good treatment from prior boyfriends. This is available to you in her doctor's notes which I can send upon request.

QUESTION 75: If Connie wasn't lying to the jury when she told them I had been abusive for months prior to my arrest, then why, just 2-weeks before my arrest, did she tell her own doctor that I had been treating her like a **queen**?

QUESTION 76: Since it is clear that Connie has either lied to her doctor or lied to the jury, which then do you think it more likely she lied to:

- a.) Her doctor, there to help with her physical and psychological problems, or;
- b.) The court, DA, and jury she was using as a tool of revenge against me for my having angered her by telling her to move out of my home?

Now I am asking you to be very meticulous in analyzing and researching the answer to this following question, Mr. Lipske, and ask you to be brutally honest with yourself when answering it:

QUESTION 77: What do you know FOR SURE, and what do you know based only upon what Connie TOLD you?

If you answer that question accurately and honestly, you will see that the only knowledge you actually have is that which I have proven with hard evidence. And if you can be honest for one minute, you will also admit that everything I told you is absolutely true, and that everything Connie told you is absolutely false. You cannot plausibly deny this.

This has to be the clearest case of wrongful imprisonment and injustice ever documented in Wisconsin history. In light of Connie's confession of my innocence, circumstances, facts, documents, witnesses, and other evidence, including that which is being concealed by you, please indicate which of the following prevents you from seeking my release:

QUESTION 78:

- a. You knowingly prosecuted an innocent man as part of your role in a criminal conspiracy or role in Iron County's good 'ol boy network;
- b. Due to his personal involvement with Connie Vargovich, Judge Madden influenced you, threatened you, or promised you something that precludes you from assisting me;
- c. You won't prosecute Connie because she would implicate you in crimes;
- d. You are too embarrassed to admit that many mistakes have been made;
- e. You are too irresponsible or too incompetent to take proper action here;
- f. You yourself were also socially and sexually involved with Connie;

This letter, and your response to it, will be published on the internet. Therefore, please respond at your earliest convenience by answering as honestly as you can as many of the above questions as you are able. Your failure to respond is to not deny you are well aware that I am in fact falsely accused, wrongfully convicted, and that Connie Vargovich is being protected from prosecution because of her involvement with Judge Madden and her knowledge of your wrongdoings in this case. You would be wise to respond, it is your responsibility to do so, and this would be greatly appreciated by me and many others.

Thank you, Mr. Lipske.

Sincerely,

