

STATE OF WISCONSIN CIRCUIT COURT IRON COUNTY

Donald R. Miller,
Plaintiff,

NOTICE
AND PETITION

v.

ROBERT BRUNEAU,
Iron County Sheriff,
Defendant.

Iron County
Case No. 03-CV-36

Returned to
Sender,
UNOPENED
AND NOT
FILED

**PETITION AND NOTICE OF DEFENDANT'S ONGOING
DISREGARD OF WISCONSIN LAW, PLAINTIFF'S RIGHTS,
AND OBSTRUCTION OF JUSTICE**

DONALD MILLER, Plaintiff in above captioned matter, notifies this court that Defendant ROBERT BRUNEAU is continuing in disregard of mandatory duties required of a County sheriff, and disregard of his duties mandated by chapter 19, Wisconsin Statutes (Open Records Law), under which Defendant, as custodian of public records, is required to RECEIVE, consider, and answer requests for public records.

Defendant previously refused to receive open records requests sent by Plaintiff via U.S. Mail, and now continues refusing to receive open records requests via mail by returning the requests unopened and marked "REFUSED, RETURN TO SENDER". By so doing, Defendant demonstrates a blatant and ongoing disregard of the Wisconsin Statutes, duties of the office of sheriff, and under color of law, is denying Miller's constitutional right to fully investigate matters relating to Iron County case # 97-CF-60.

Defendant's willful and ongoing refusal to even receive a public records request via U.S. Mail, is contrary to Wis. Stat. Chapter 19 and, more importantly, constitutes obstruction of Miller's investigation of his criminal case. Obstruction of justice does constitute a crime for which Defendant shall be removed from his office as sheriff of Iron County.

Attached hereto is (EXHIBIT 1), latest in a series of refused records requests mailed to Defendant by Miller, which contained, *inter alia*, lawful request for public documents relevant to Iron County Case No. 97-CF-60.

Exhibit

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Defendant did refuse and return said request unopened and marked "REFUSED, RETURN TO SENDER". This, and prior refused letters containing lawful requests for public documents relating to case # 97-CF-60, were, and are, fully authorized by Chapter 19 of the Wisconsin Statutes.

THEREFORE, Plaintiff requests this Honorable Court to:

ORDER DEFENDANT :

To comply with duties of his office of sheriff by receiving, reviewing, and answering all letters requesting public records, as required by Wisconsin law, and;

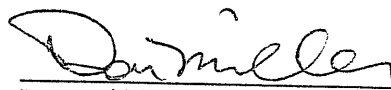
FURTHER ORDER DEFENDANT :

To cease and desist from ongoing obstruction of justice in Iron County Case No. 97-CF-60, and;

FURTHER ORDER DEFENDANT :

To receive, review, and answer any and all of Miller's, and any other requestor's requests for public documents, in compliance with Wisconsin's Open Records Law, in conformity with Miller's Due Process Right to investigate his case, which right is fully guaranteed under Amendment the 14th of the U.S. Constitution, which Amendment the 14th is binding upon this state, Defendant, and court by Amendment the 6th of the U.S. Constitution.

RESPECTFULLY SUBMITTED
this 28th Day of April, 2005



Don Miller,
Plaintiff-Requestor

cc:
Atty. Raymond Dall'Osto