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FILED  
IN THE OFFICE OF THE  
CLERK OF SUPREME COURT

IN THE SUPREME COURT  
FOR THE STATE OF NORTH DAKOTA

FEB 27 2020

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|                           |   |                               |
|---------------------------|---|-------------------------------|
| Richard E. Dodge          | ) | Case No. 47-2018-CV-00256     |
| Petitioner and Appellant, | ) | Case No. 47-2015-CR-00829     |
|                           | ) | Supreme Court Case # 20190286 |
| V.                        | ) |                               |
|                           | ) |                               |
| State of North Dakota     | ) | SUPPLEMENTAL STATEMENT        |
| Respondent and Appellee,  | ) |                               |

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APPEAL FROM THE ORDER DENYING APPLICATION FOR POST-  
CONVICTION RELIEF ENTERED SEPTEMBER 12, 2019 IN STUTSMAN  
COUNTY DISTRICT COURT, SOUTH CENTRAL JUDICIAL DISTRICT,  
NORTH DAKOTA, THE HONORABLE TRISTAN VAN DE STREEK  
PRESIDING.

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SUPPLEMENTAL STATEMENT  
ORAL ARGUMENT REQUESTED

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Richard E. Dodge  
NDSP # 45634  
3100 Railroad Ave  
Bismarck, ND 58501

[¶1] COMES NOW, the Petitioner, Richard Dodge, pursuant to N.D.R.A.P. Rule 24, hereby respectfully submits this Supplemental Statement.

[¶2] The potential for a fair trial in a Stutsman County Courtroom never existed. It did not exist during the underlying criminal proceedings. It did not exist during these post-conviction proceedings (PCR). It will not exist during any future proceedings. These proceedings were corrupted by on-going conspiracies to conceal crimes committed against myself both prior to and during my incarceration in the Stutsman County Correctional Center (SCCC). These PCR and underlying criminal proceedings represent a catastrophic failure of the Southeast District Court to maintain its integrity through the temptation of financial incentives, to resist the corrupting influence of criminal elements, and to seek the truth through the due process of law. Southeast District Court has failed to respect my rights to the effective assistance of counsel and to equal protection under the law. The denial of my PCR application represents a single step towards the guaranteed revocation of my upcoming probation and resentencing in a bias Southeast District Court of up to an additional 15 years for a crime they know I did not commit.

[¶3] The record that is being presented to the Supreme Court for review is not in any way an accurate representation of the collective appearances, mock hearings, evaluations, and testimonies that took place on and off record during these PCR proceedings and the underlying criminal proceedings. It is not possible to review this record and acquire an understanding of the circumstances leading to my illegal incarceration or my attempts to free myself through the Courts. The decision to deny my PCR application was not made based on the issues raised on the record. There will never be a record created by a Southeast District Court of the criminal acts that led to the coercion of my Alford plea nor will there ever be a valid criminal investigation into these crimes conducted by Jamestown law enforcement. All 2018 off record, mock hearings,

rehearsal testimonies, and evaluations were used to carefully plan everything that would and would not be put on the record at my May 14<sup>th</sup>, July 20<sup>th</sup>, and August 14<sup>th</sup> 2019 PCR hearings. My on record PCR testimony (T 5/14/2019) was rehearsed, controlled and carefully restrained by Judge Tristan Van de Streek, States Attorney Fritz Fremgen, attorney Kiara Kraus-Parr and Angela P. Holland. Fremgen is skilled and experienced at creating a Court record that reflects whatever he wants it to reflect. I have never been allowed to speak freely while on the record without getting redirected by the SA, Judge or even my own attorney (T 9/25/2018 for a good example). During my underlying criminal proceedings entire Court hearings were stricken from the record, motions were not filed, letters were never mailed or entered into the record and countless attempts to report, document and gather evidence of the abuses I was being subjected to, were concealed. This Court was well prepared to make sure certain issues and evidence were never put on the record.

[¶4] The May 14, 2019 transcript of my testimony has a reference to a “Mr. Gruballa” (T 5/14/2019 pg 60, ln 24). This is an intentional misspelling of Fred Guvalla. The correct spelling (Guvala or Guvalla) and pronunciation of this person’s name, as well as several alias’ were discussed in great detail during one of my previous 2018 testimonies and on several other occasions in Court. During one of Guvalla’s 2018 appearances in Court he used the alias of Dr. Frederick Mercatoris with fraudulent claims of being my psychiatrist. Fremgen stated that his name was Michael Mercatoris. In Dr. Mugge’s psychological report Guvalla is referred to by the alias of Robert Sumner, another intentional misrepresentation of my statements. Robert Sumner is an alias given to me by former Warden Colby Braun and Capt. Todd Flanagan of the NDSP in response to my requests for Guvalla’s legally identifying information required for a restraining order application. Guvalla has had a constant influence on my Court proceedings, my attorneys,



my evaluations, the NDSP, and everyone else involved with these proceedings. He is a direct criminal accomplice of Det. Leroy Gross and one of the criminal accomplices, and alleged client, of attorney Russell Myhre whom I referred to in my letter and Motions to Dismiss Counsel submitted to the Court on or about 6/9/2016, 6/20/2016 (both omitted from record), 7/20/2016 (47-2015-CR-829 Index #42) and 8/17/2016 (47-2015-CR-829 Index #48). Guvalla is a pedophile and a child sex trafficker with a history of abuse against myself that dates back to the 1980's. The very least that the Southeast District Court can do is spell his name correctly for the record.

[¶5] I have never made any claim that I entered an Alford plea because I was not competent to stand trial. I have never made any claim that I was not guilty by reason of lack of criminal responsibility. I am not guilty because there was no robbery. I did not rob Wyatt Johnson. No one robbed Johnson. Johnson never claimed that I robbed him. I only agreed to take the psychiatric evaluation requested by Myhre because I thought it would improve my credibility in regards to the criminal complaints I was attempting to file against the SCCC guards who raped me. I never agreed, in fact I explicitly forbid, to the filing of any defense based on lack of criminal responsibility.

[¶6] I have never made any claim that attorney Myhre was ineffective because his filing of a motion for a psychiatric examination (47-2015-CR-829 Index #45) was untimely or because he did not appeal the denial of that motion. He was ineffective because he conspired with a group of pedophiles, child sex traffickers and their accomplices to commit a premeditated, malicious act of malpractice resulting in my false incarceration. The details of this conspiracy should be raised during oral argument.

[¶7] Fremgen will no doubt repeat his fraudulent claims that I am a "serial withdraw situation" and that I will never get along with any attorney appointed to me. He called me a "serial withdraw

situation” after Scott Sandness withdrew due to a conflict of interests which arose when he was retained by my co-defendant. At that time I had never in my life asked an attorney to withdraw and yet Fremgen called me a “serial withdraw situation”. Fremgen uses this claim to protect his hand-picked attorneys from obviously well-deserved complaints. The denial of counsel through the intentional appointment of attorneys who have previously been successfully solicited by Fremgen, or others in opposition of the defendant, to take actions that go against the interests and wishes of their clients is not a valid prosecutorial strategy. But this has been the primary prosecutorial strategy for Fremgen in this case, and likely many others, since before any arrest or allegation of a crime. His claims that I am a serial withdraw situation are completely false. Fremgen is skilled at soliciting attorneys to betray their clients while working with them to create a record that protects them from the obvious malpractice that helping a prosecutor achieve a victory represents. Fremgens prosecution of me was vindictive, malicious and fraudulent.

[¶8] I began work on my direct appeal to this Supreme Court right after I was released from the orientation unit at the NDSP, on or about 10/7/2016. My access to the law library, paralegal services, the phones, phone books and the mail system for filing my direct appeal were regularly obstructed. I was subjected to illegal forced “medication” by Guvalla and CM Erikson, which was devastating to my ability to perform even simple tasks. My step one grievance was filed with CM Fleckenstein. My attempts at filing a step two grievance were blocked by CM Erikson. My repeated requests for a toxin screen were ignored and attempts at writing a letter to the FBI were blocked by Capt. Todd Flanagan. I have been blocked from contacting the FBI and other law enforcement agencies throughout my entire incarceration.

[¶9] I first began the process of filing for post-conviction relief in March of 2017. Through various criminal acts, misconduct and civil rights violations my PCR application was delayed till



April of 2018. This was done in large part by CM Erikson for the purpose of disqualifying me for filing a Writ of Habeas Corpus (28 U.S.C. § 2254) and keeping me falsely imprisoned. He was solicited by persons who I will testify against. SCCC staff threatened to “lose” my paperwork when I filed for PCR if I reported staff criminal acts when I got to the NDSP.

[¶10] At the start of my PCR proceedings I was subjected to assaults, harassment, druggings, and obstruction of my access to the courts. This requires a full independent investigation. The NDSP administration allowed Guvala, Randy Kramer (formerly Randy Sjostrom), and Cassandra Richie to have regular access to myself, my cell, and my legal work here in the NDSP for the purpose of harassing, threatening, assaulting, slandering and overall the sabotaging of my PCR proceedings. These persons were directly involved in bringing about the original charges for which I am currently falsely imprisoned. These are persons to whom I represent a liability as a victim and potential witness and these actions by the NDSP constitute a criminal act.

[¶11] K.P.M.W law office was solicited by Richie and Samantha Rexine to interfere with my PCR case. The details of how this started are unclear. As a result of this solicitation, on or about June of 2018, Kraus-Parr became involved in a series of appearances and mock hearings in Southeast District Court. During these appearances Kraus-Parr was successfully solicited and groomed to replace Amanda Harris as my PCR attorney. This grooming included a request from Fremgen that Kraus-Parr not obtain certain evidence for my case. Specifically, a psychological evaluation conducted by Dr. Sara Durbin in 2017 and evidence from the SCCC like phone records and security footage of staff assaults. Myhre requested that Kraus-Parr not present an ineffective assistance of counsel argument against him that I could use during a future malpractice lawsuit. He requested she not investigate his and Brands illicit involvement in prior civil and financial matters involving myself and my family and instructed her on how to present

my ineffective assistance of counsel argument in the manner which he planned. Yes, Myhre planned his own ineffective assistance of counsel argument, against himself! It was made clear that Fremgen, Myhre and several others had succeeded in convincing K.P.M.W. to aid them in creating the PCR record that they wanted. It is not by coincidence that I was a witness to these conversations with Kraus-Parr. I believe this may be a similar situation like the one that Myhre put me in during my criminal proceedings where he baited me into making “wild and outlandish claims” against him. As a result of these appearances, I was determined to make sure that Kraus-Parr was never appointed as my attorney. I filed my first formal complaint against Kraus-Parr on 9/4/2018 on the grounds that she was making appearances in Southeast District Court related to my PCR and I was receiving fraudulent letters from her office claiming she was my attorney at a time when Amanda Harris was still my attorney of record. I mailed one of these letters to the Office of the Disciplinary Counsel (ODC) prior to my 9/4/2018 formal complaint. I re-filed my original complaint on or about 9/11/2018 and 2/9/2019. I placed phone calls to the ND Commission on Legal Counsel for Indigents (NDCLCI), the ODC, both Federal Public Defenders offices, and many attorneys in an attempt to document the events that were taking place in Southeast District Court concerning attorney Kraus-Parr prior to her appointment. I also wrote letters related to these matters to the ACLU, the ODC and the Supreme Court Clerk Penny Miller. Some of these offices have also received slanderous visits from Richie and Rexine.

[¶12] I filed for PCR on the grounds of ineffective assistance of counsel and the coercion of my guilty plea. I intended to have my new attorney investigate other grounds like prosecutorial and judicial misconduct and the denial of my right to a direct appeal by the NDSP. I was denied access to the evidence and witnesses that I needed to support those arguments and investigate



additional grounds by my PCR attorneys. I never had an opportunity to present those arguments to the Southeast District Court.

[¶13] Myhres is guilty of legal malpractice and many criminal acts. He was intentionally ineffective for the purpose of helping the SA achieve a conviction. He worked to conceal the crimes committed against me in the SCCC. He harbored an extreme prejudice against myself due to my potential as a witness against his associates and alleged clients which includes his “good friend and close associate”, Det. Leroy Gross, for his 25 year criminal involvement in the sex trafficking of children, crimes of which I am a primary victim. Myhre’s history of advocating for my imprisonment prior to my arrest and during my criminal proceedings generally involved four rationale: First, Myhre claimed that I’m a white supremacist or an anti-Semite. Second, he claimed that I’m a child sex offender or that I’m the subject of multiple sexual assault allegations. Third, he made claims that I’m mentally ill. Specifically, he accused me of suffering from a delusional disorder. His primary defense for my accusations against his associates and clients. Forth, and the only rationale that harbors any truth, he stated that he must publicly condemn me for the accusations that I’ve made against Det. Gross. He repeatedly made these claims, with Scott Brand, in Jamestown Municipal Court resulting in loud, sometimes physical confrontations which had to be broken up by Deputies. Myhre pleaded with the Judge to give me the “maximum possible sentence” for a car insurance ticket. These incidents in Jamestown Municipal Court occurred over a year prior to my 12/9/2015 arrest and represent undeniable proof that Southeast District Court officials were fully aware of the conflict of interests that exists between Brand, Myhre and myself during my underlying criminal proceedings. The campaign of character assassination by Brand and Myhre that I am a mentally ill, nazi pedophile continued throughout my underlying criminal proceedings in the presence of the State and the Court. They made



outrageous and slanderous statements about myself, in court, during their misrepresentations of me. Fremgen and Merrick were fully aware of these conflicts of interest and their malicious intentions towards myself and chose to conceal it because it served the interests of the State and Court. Their interests at that time were to conceal the crimes committed against myself in the SCCC and achieve a conviction in a case that many were fully aware I did not commit. After being appointed as my attorney, Myhre made many outrageous statements to me during our private conversations. Things that no attorney should ever say to a client. He made detailed statements about how he was going to get me sent to prison for 20 years, how he would contaminate the jury to cause delay, and his plans for my future PCR grounds and psychological evaluation diagnosis'. He already knew what diagnosis he needed to protect his associates. "All I need is an attorney and a psychologist". He talked in great detail about how he looked over Gross's situation and the liability that I represented to him and came to the conclusion that as Gross' attorney, he could not protect him. The evidence that an investigation would turn up would be too overwhelming and Gross would go to prison. But as the defense attorney for his victim, me, he could get me sent to prison and prevent that investigation from ever occurring. He was making these statements partially to brag and gloat as he was following through with past threats of sending me to prison, but also to bait me into making "wild and outlandish claims" against him. The denial of counsel through the intentional appointment of conflicted attorneys with divided loyalties or adversarial pre-existing relationships with myself and the single alternative of pro se representation is still a violation of the right to the effective assistance of counsel and is not a legitimate strategy available to the State or the Court in achieving a desired outcome. On post-conviction there is no valid reason for my attorneys' to refuse to investigate and gather evidence of these prior conflicts. A refusal is not only a violation of my Sixth

Amendment right to have process for obtaining favorable witnesses, it is a refusal to defend me, to advocate for my cause, to hold accountable those who have wronged me, and an obstruction of justice.

[¶14] Whether or not there existed a preexisting, malicious and adversarial intention against myself by Myhre became irrelevant when I filed my motions to dismiss counsel and related letters to the Court which contained accusations of wrong doing, a conflict of interest was established on the record. A documented conflict of interest existed from that moment on.

*Lopez v. Scully, 58 F.3d 38 (CA 2 1995) "In a pro se motion to withdraw his guilty plea, which Lopez had presented to the trial Court at the commencement of the sentencing proceeding, Lopez alleged that his attorney had coerced him into pleading guilty. At that point, the attorney had an actual conflict of interest."*

[¶15] During my 2018 PCR appearances Myhre more or less abandoned his accusations that I was a nazi pedophile. Although he screamed accusations at me with the same theme in Kraus-Parrs' presence, this time it appeared to be just an attempt at provoking a response from me that may have supported his claims that I was mentally ill or dangerous, rather than a genuine attempt at slandering my character. It later was alleged to me that they were trying to solicit a violent act from me for the purpose of justifying force "medicating" me during my on record PCR hearings. Myhre continued to condemn me for making accusations against Gross, Court officials and against Guvalla whom was present and an alleged client of Myhre. Myhre was pleading with the Court officials present, including Kraus-Parr, to deny my PCR application because he feared the malpractice lawsuit that I will be filing and the federal investigation that I will request into Myhre, Gross, Guvalla and their accomplices. He fully understands that the denial of my PCR application would be followed by the guaranteed revocation of my two years of probation and subsequent resentencing of up to 15 years. Which will effectively protect him and his criminal accomplices from any civil or criminal proceedings that I may be capable of bringing upon them. Gross had a tough time framing me for robbery. Ensuring the revocation of my probation will be far easier.



[¶16] My ground for PCR of a coerced guilty plea involved not only the actions and inactions of Myhre, Lt. Rich Barnes, Richey, Mark Douglas and other persons present at my trial but also the repeated felonious acts that I was subjected to throughout my incarceration in the SCCC and the subsequent conspiracy to conceal those acts. These assaults were solicited, in large part, by Det. Gross with absurd claims that I was the respondent in several civil suits for sexual assaults against children. He convinced these guards that I was the biggest pedophile he has ever seen. He was financially solicited by my grandfather, Glen Coburn, to do this, which is very typical behavior for my family. On or about 12/18/2015, Lt. Barnes raped me with a mop handle while several other CO's stood by and watched, some recorded the attack on their cellphones. I had called the PREA hotline to report previous aggravated sexual assaults by staff and this was the response I got. These incidents set a precedent for the treatment that I received in the SCCC. Barnes was directly involved in many other assaults and criminal conspiracies against myself throughout my incarceration including on the day of my trial. Another officer who was involved in many criminal acts of abuse was CO Ryan Deleon who was also the CO present at the May 14<sup>th</sup> and June 20<sup>th</sup> PCR hearings. On 8/31/2016, right before I entered my Alford plea I was told that I might have to spend an additional 3 months in the SCCC while they selected a new jury thanks to Myhre and a female juror contaminating the jury pool. The 8/31/2016 transcript is a lie! A guard with a well-known history of committing rape against myself was standing right behind me while I entered my Alford plea. Another guard with a history of committing violent felonious acts against myself was present in the Courtroom while I offered my only on the record testimony of SCCC abuses for my PCR. Det. Gross is a man who has been criminally victimizing me since my childhood and he was listening to these entire proceedings. I was expected to offer testimony



about the coercion of my guilty plea in the presence of my abusers while being denied access to all supporting evidence.

[¶17] Randy Kramer is a severely mentally ill, pedophile, serial rapist with a history of sexual abuse against myself that began in 1984, at the age of 4<sup>YS</sup> old. This is just one of the pedophiles that Guvalla and my family sold me to as a child. This pedophile has stalked me my entire life. He was directly involved in at least 4 aggravated sexual assaults against myself during my 2015 – 16 incarceration in the SCCC. Det. Leroy Gross personally facilitated and witnessed this man sexually assaulting me in F-Block of the SCCC. Polygraph?! This sexually dangerous individual has been allowed contact with me in the NDSP and Barnes County Jail since my conviction. Det. Gross has financially profited from protecting this man from prosecution for many years.

[¶18] These attacks were used to strong-arm the signing of over a dozen documents for Brand and Gross; to gain my compliance in the theft of my bank accounts, and with Gross during several conversations, visits to his office, and phone calls. Gross was using this situation to fabricate evidence. Brand was concealing past crimes and planning new civil suits against myself. Brand was also aiding another of his clients, Casey Severson (phonetic), in working with Fremgen to gather evidence against me while my attorney of record.

[¶19] There is a multitude of evidence that proves, not only, that I was coerced into this Alford plea but also proves other crimes and misconduct of which I was the victim. My PCR attorneys refused to investigate and acquire that evidence. In fact, they agreed to deny me access to that evidence prior to representing me. This evidence includes videos of, among others, CO Ryan Deleon assaulting me in the days prior to my trial (approx. 8/21/2016 - 9/4/2016), which, according to Det. Falk, was available to any public defender that was willing to acquire it. My PCR attorneys refused to effectively raise any issues of criminal misconduct by Court officials.

It is not Harris and Kraus-Parr's job to protect the Court officials who so horribly victimized me. It is not Harris and Kraus-Parr's job to protect Myhre from criminal prosecution, a malpractice lawsuit and the disbarment that he so obviously deserves. They denied me an opportunity to present any evidence and make an argument for the effect that the multiple acts of aggravated sexual assault, aggravated assault, terrorizing, illegal forced "medicating", financial crimes and the subsequent conspiracy to conceal these crimes had on my decision to enter an Alford plea. Not only was I denied access to evidence and witnesses to these crimes for a PCR argument but I am still being denied access to the proper authorities for the filing of criminal complaints and the initiation of a much needed criminal investigation into these matters. There has never been a criminal investigation into the crimes committed against me in the SCCC or the many years of past crimes committed against me by Brand and Myhre. Just threats of false incarceration if I "rat". Please put me in contact with the FBI.

[¶20] There exists a conflict between Brand, Myhres and myself. At this point no one is denying that. On one side of this conflict, I am accusing Brand and Myhre of being involved in a criminal conspiracy with their associates and other clients to intentionally commit malpractice as my attorney, primarily, for the purpose of falsely imprisoning me and concealing past crimes against me. I have accused them of attacking my character and credibility by participating in a campaign of character assassination, publicly condemning me prior to, during, and since being my attorneys of record. On the other side of this conflict, Brand and Myhre are claiming my accusations are the result of a mental illness, a delusional disorder, and they, their clients, and associates have done nothing wrong. Kraus-Parr took sides in this conflict. She took sides with Brand, Myhre and their associates. She chose to make an argument to support Myhres' claims of a mental illness rather than respecting my requests to gather the readily available evidence and witnesses to



support my accusations against Brand and Myhre. Kraus-Parr's argument of a delusional disorder was in direct conflict with my own argument of a criminal conspiracy and ineffective assistance of counsel by Brand and Myhre. It was also a diagnosis that Myhre and his associates were intentionally seeking to protect themselves. By gathering the requested evidence and proving my position, she would be disproving Myhre's and her own position. In choosing to take Myhre's side in this conflict she has taken a position that is in opposite of my own position. Kraus-Parr and I have taken two opposing, adversarial positions. She has spent her entire time as my PCR attorney working to discredit my position. As a pro se litigant who has a limited knowledge of the legal system and extremely limited access to legal resources my work would have been below the quality of a real attorney. But with an attorney of record who has taken an adversarial position against myself, I am far worse off. Harris and Kraus-Parr worked against my interests and became a very effective obstruction to my ability to acquire the evidence that I need to prove the criminal abuses that I suffered in the SCCC. My attempts at requesting subpoena forms with the Stutsman County Clerk were denied solely for the reason that there was an attorney appointed to my case and all requests had to go through counsel. Harris and Kraus-Parr violated my Sixth Amendment right "to have process for obtaining favorable witnesses" when they refused to make contact with persons present during my trial/change of plea hearing and at my Municipal Court battles with Brand and Myhre. They obstructed justice when they refused to enable me to contact law enforcement for the purpose of initiating an investigation into past crimes committed against me by Brand, Myhre and their accomplices.

*United States v. Hurt*, 543 F.2d 162, (DC Cir 1976) "The first essential element of effective assistance of counsel is counsel able {543 F.2d 168} and willing to advocate fearlessly and effectively."

[¶21] On or about May through September of 2018, Fremgen ordered a series of psychiatric/psychological evaluations be conducted off record by Dr. Lisota and others at the



North Dakota State Hospital (NDSH) for the purpose of determining what the results would be prior to ordering them on record. During one of these evaluations, Dr. Lisota determined that my decision to enter an Alford plea was a direct result of the abuses in the SCCC during incarceration. He determined that the Alford plea was coerced. This is the real reason that the State did not request this particular evaluation on record. Fremgen and Kraus-Parr worked together to come up with a believable scenario where Fremgen does not order this same psychological evaluation on record. This is how the scenario of Dr. Mugge's vagueness in her written report and her more specific statements in her oral testimony concerning coercion came about. This is the rehearsed and loosely scripted fraud on the Court that Fremgen and Kraus-Parr created to rationalize not ordering Dr. Lisota to conduct a coercion evaluation on record. There were other off record evaluations were done to investigate sexual abuse allegations and the potential liability that I represent. Guvalla and Gross were present and involved in several of my visits to the NDSH. Both of whom were among the accused in the SCCC abuse and other sexual abuse allegations which date back to my childhood. It was clearly stated to me on several occasions that attempts to report past abuses by court officials would determine the results of the evaluation that went on record. These evaluations had a direct influence on many different personal judgements and decisions made by various people which led to the denial of my PCR application and as such they should have been entered into the record. My PCR application has been decided by factors that are not put on the record rendering it is impossible for me to argue for or against those factors.


[¶22] Simultaneously, a similar series of evaluations were ordered to be conducted by Dr. Mugge at the Cass County Jail (CCJ). Dr. Mugge was confused by the fact that Kraus-Parr was ordering these evaluations when she spoke to me and was informed that Amanda Harris was my attorney

of record at the time. Guvalla and Gross were again both present at the CCJ on several occasions. This created some notable incidents for the CO's and Deputies present. Dr. Mugge at one point refused to perform any evaluations on me due to the outside pressures she was being subjected to. She was very upset by whatever was being said to her. This needs to be investigated.

[¶23] On or about 2/3/2016 Brand appeared in Court for my preliminary hearing with Richie. He introduced Richie to Fremgen as my "caregiver". Brand is Richie's friend and attorney. False claims of being my "caregiver" were being used by Richie as part of her identity theft and other related crimes. (JPD report# 15-29159, 15-29514, 16-01266, 16-08099, 16-02063) Brand was an accomplice of Richie in this identity theft, and other crimes, while being my attorney of record. On 8/31/2016 Fremgen was questioning Brand while under oath and he denied ever knowing Richie. A clear act of perjury which Fremgen is concealing.

[¶24] In Conclusion, this entire situation must be subjected to an independent investigation. I must be allowed the opportunity and legal resources to gather and present all available supporting witnesses and evidence on the record before any valid decision can be made concerning my grounds for PCR. Decisions about Brand and Myhre must include the results of a Federal investigation into their illicit involvement in various financial matters related to myself and my family prior to my arrest. I should not be required to serve out a 6 year prison sentence before obtaining the evidence which proves that I am being falsely incarcerated. I am innocent of the crimes for which I am incarcerated. This is a massive conspiracy against my rights. I want to take a polygraph for the FBI.

Signed this 27th day of February, 2020

  
Richard E. Dodge  
NDSP #45634  
3100 Railroad Ave  
Bismarck, ND 58501



**CERTIFICATE OF SERVICE BY MAIL**

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION

DIVISION OF ADULT SERVICES

SFN 50247 (04-2014)

STATE OF NORTH DAKOTA )  
 ) SS.  
COUNTY OF BURLEIGH )

RECEIVED BY CLERK  
SUPREME COURT  
FEB 28 2020

The undersigned, being duly sworn under penalty of perjury, deposes and says: I'm over the age of eighteen years and on the 27<sup>th</sup> day of February, 2020,  
M, I mailed the following:

Supplemental Statement  
Motion For Indigent Defendant to Appear For Oral Argument.

by placing it/them in a prepaid envelope and addressed as follows:

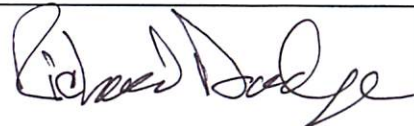
Supreme Court of North Dakota  
Office of the Clerk  
600 E. Boulevard Avenue  
Bismarck, ND 58505-0530

Fritz Fremgen  
States Attorney, Stutsman County  
511 Second Ave, Suite 2  
Jamestown, ND 58401

and depositing said envelope in the Mail, at the NDSP, PO Box 5521, Bismarck, ND 58506-5521.

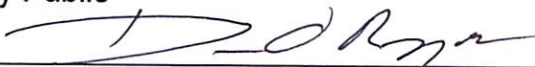
AFFIANT

Richard Dodge  
PO Box 5521  
Bismarck, North Dakota 58506-5521



Subscribed and sworn to before me this 27<sup>th</sup> day of February, 2020.

Notary Public



My Commission Expires On

DAVID ROGGENBUCK  
Notary Public  
State of North Dakota  
My Commission Expires April 29, 2022