

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

Supreme Court No. _____
Ward County Case No. 51-2021-CR-00725

State of North Dakota,)
)
)
Plaintiff/Appellee,)
)
v.)
)
Susan Scheel Coons,))
)
Defendant/Appellant.)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that the above-named Defendant and Appellant, Susan Scheel Coons (hereinafter Susan), filing Pro Se, hereby appeals to the Supreme Court of the State of North Dakota from the Criminal Judgment with Appendix A Conditions of Supervised Probation, **Docket No. 189**, dated September 2, 2022, entered by District Judge Gary Lee, Ward County District Court, State of North Dakota, in Criminal Case No. 51-2021-CR-00725.

STATEMENT OF PRELIMINARY ISSUES

1. That the lower court became active on the side of the prosecution by making his own motion in limine as to the evidence that would be allowed at trial, and then ruled on his own motion, substantially limiting the evidence I would be allowed to present.
2. That the lower court improperly denied my proposed jury instructions relating to durable power of attorney (as well as other jury instructions which I requested that should have been given).
3. That the lower court during the trial and in the presence of the jury made in accurate references to prior interrelated probate matters, tainting the jury against me by asserting that I lost each of the cases I ever brought, even though I was not allowed to be a party in one of those cases, and did receive letters of guardianship on another case.

4. That the lower court during the trial, in the presence of the jury, and while I was on the stand made extremely derogatory comments regarding the documents offered on my behalf that went to the very heart of my defense – whether I reasonably believed that the documents provided me the authority to file with the county recorder the documents which resulted in my being charged.

5. That the lower court during the trial, in the presence of the jury, made numerous derogatory comments, facial expressions, and other harmful statements relating to me and my case, as well as directed towards my attorney when he attempted to offer evidence which I felt had to be received as part of my defense.

6. That the lower court during the trial, in the presence of the jury, unreasonably limited the cross-examination of the witnesses for the prosecution, was demeaning and caustic to my attorney, and improperly commented on the evidence, on the case, and on me in a derogatory manner.

7. That the lower court, based on his own motion and initial ruling relating to evidence that could be received, improperly and severely limited my defense, including my ability to call witnesses, including expert witnesses relating to the prosecution's witnesses committing forgery, theft, abuse of elderly person, and other misconduct that should have been subject to cross-examination but for the lower courts limiting the evidence by his own motion in his own ruling in regards to that evidence.

8. That the lower court, in order to pressure me to plead guilty to the other remaining criminal cases, immediately placed me in jail upon the guilty plea.

9. That the lower court, in order to pressure me to plead guilty to the other remaining criminal cases, refused to schedule and a timely manner a bond hearing.

10. That the prosecutor during the trial and in the presence of the jury made numerous misstatements of fact, misstatements of law, and irrelevant but prejudicial derogatory statements about me and the case.

11. That the lower court, based on the offense actually committed, provide me a longer sentence than warranted under the facts of the law.

12. That other errors occurred which will be expanded on once we received the transcript of the trial and my appellate attorney has had an opportunity to review the entire file and the trial transcript.

Dated this 23 day of September 2022.

Benjamin C. Pulkrabek
Benjamin C. Pulkrabek, ND
Bar No. 02908
Pulkrabek Law Office
402 First Street NW
Mandan, ND 58554
Office: 701-663-1929
Email: Pulkrabek@lawyer.com

IN THE SUPREME COURT OF NORTH DAKOTA

<p>State of North Dakota</p> <p>Plaintiff and Appellee,</p> <p>v.</p> <p>Susan S. Coons</p> <p>Defendant and Appellant,</p>	<p>Supreme Court</p> <p>Ward County District Court</p> <p>51-2021-CR-00725</p> <p>CERTIFICATE OF SERVICE</p>
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[¶1] I certify that a true and correct copy of the following, specifically:

1. Notice of Appeal
2. Order for Transcripts
3. Certificate of Service

by electronically serving the same through the North Dakota Supreme Court e-filing system and that e-filing will provide service to the following:

North Dakota Supreme Court
supclerkofcourt@ndcourts.gov

Rozanna Larson
Ward County States Attorney
P.O Box 5005
Minot ND 58702-0523
51wardsa@wardnd.com

Dated this 23rd day of September 2022

Benjamin C. Pulkrabek
Benjamin C. Pulkrabek, ND
Bar No. 02908
Pulkrabek Law Office
402 First Street NW
Mandan, ND 58554
Office: 701-663-1929
Email: Pulkrabek@lawyer.com
Attorney for the Appellant