

IN THE SUPREME COURT OF NORTH DAKOTA

STATE OF NORTH DAKOTA
PLAINTIFF AND APPELLEE,
v.

RICHARD RICHARDSON
Defendant and Appellant,

Supreme Court
20220291
Grand Forks County District Court
18-2021-CV-02241

RESPONSE

The problems I am having and the problems I have had in State v. Richardson #20220291 at the North Dakota Supreme Court aren't because I can't do the work or have the brief ready to file on time. The problems are all because I thought I could hire an employee who could read the emails from the North Dakota Supreme Court, tell me what had to be done, and I would do it. That is what I thought I was doing in Richardson. Not until; I read entry 13 in Richardson did I know there was a problem. "13 S.Ct. Not. of Dismissal/Failure to Proceed - RspDue : 01/13/2023"

After I read 13, I went to Ms. White Bull's house, and we filed the Richardson Brief and drafted and filed a Response with the North Dakota Supreme Court. We also worked on Saturday and Sunday on Richardson and other legal matters.

Not until I talked to North Dakota Supreme Court Clerk Petra Holm on Monday, did I know that Richardson was never filed. I talked to my secretary Stormi White Bull about it. She said that while I was with her, she completed the Certificate of Service and Certificate of Compliance. Then she filed everything. She never checked to see if the filing went through. At that time, she was also involved in another case. She thought she did notice corrections that applied to the Richardson brief however she was wrong. They applied to another case.

At this point, what has been said above is interesting, but it doesn't change the responsibility for what was done at attorney Pulkrabek's office. That responsibility is his and his alone.

He knows the only way to handle emails from the North Dakota Supreme Court is for him to read them. It is also his responsibility to call the North Dakota Supreme Court and check on whether filings have been done properly.

Attorney Pulkrabek has done over 250 appeals to the North Dakota Supreme Court. Most were done before computers changed the procedure. Attorney Pulkrabek hasn't changed his procedure.

Attorney Pulkrabek has appeals to finish, and they are:

1. State v. K.J.A. 20220286
2. State v. Coons 20220289

3. Richardson v. State 20220291
4. State v. Walsh 20220327
5. Interest of R.T. 20220346
6. Whetsel v. State 20220351
7. State v. Larsen 20220374

Attorney Pulkrabek knows what has to be done and knows how it has to be done to finish each of the above appeals. In Richardson, at this point. He has to ask for a continuance to file the Richardson brief. Once it is granted, he will immediately file the Richardson brief.

If you have to do something to Attorney Pulkrabek, fine him or give him community service, but please let him finish the Richardson appeal.

Attorney Pulkrabek wants to end his appellant career by finishing the appeals in each of the above 7 cases.

From now until the end of his appellant career, he is going to:

1. Check his emails daily.
2. Every day, he reads all the events in appeals on each of his cases to stay current.
3. Call the North Dakota Supreme Court Clerk at least once a week to be sure he didn't miss anything.
4. Do whatever work is necessary to keep him current in all his appeal cases.

Dated this 9th day of January 2023.

/s/ Benjamin C. Pulkrabek
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