

Don Miller #343005  
PO BOX 4000  
New Lisbon, WI 53950

August 11, 2006

Martin J. Lipske  
Iron County DA's Office  
Courthouse - 300 Taconite St.  
Hurley, WI 54534

Re: Your prompt response is requested

Mr. Lipske,

This letter and your response to it will be published on the Internet. Should you choose not to respond, the community will understand that is because well established facts cannot be refuted. We would however appreciate an answer to the question of why I am still in prison on perjury, false swearing, and obstruction of justice perpetrated by Connie Vargovich. Is my continued imprisonment caused by your incompetence, personal vendetta against me, or is it simply part of a criminal conspiracy against me orchestrated by Judge Patrick Madden who, as everyone now knows, was socially and sexually involved with Connie Vargovich before my trial, while she was living in my home, and during my trial. Please answer then the question of whether my wrongful conviction is perpetuated by your incompetence, personal animosity, or ongoing criminal conspiracy.

As you are very well aware, it is objectively proven that both yourself and Connie Vargovich used many lies not only to gain my convictions, but to continue denying just and overdue relief I and my family are entitled to. Allow me to itemize a few well-established and unrefuted facts:

1. Connie Vargovich's initial complaints to police were insufficient to cause my arrest, and that is because she never mentioned any crime for which I am presently incarcerated ;
2. At trial, Connie's sister Heather admitted that she gave false information to police concerning myself and Connie ;
3. After already once having failed to obtain my arrest, Connie then repeatedly changed her complaints in order to obtain my arrest. In fact, the record shows that she changed and escalated her story 3-times within the first 24-hour period. By the end of my trial, Connie had 6-different stories on record ;
4. Connie's initial written police reports had actually DENIED any sexual assault ;

5. At trial, the police admitted there was NO investigation of this case prior to trial ;
6. Instead of consulting a Wisconsin doctor, you hired one from a Michigan hospital where Judge Madden sat on the Board of Directors. This doctor performed a physical exam and obtained biological samples for a sexual assault test kit. Their lab analyzed biological samples but found NO male biological material. You had the sexual assault kit tested then withheld the results from me. Then, to prevent me from having my own lab testing performed, you illegally destroyed the DNA test kit PRIOR TO my trial ;
7. The law defines 'sexual assault' as "sexual contact without consent". Your doctor had NO knowledge whatsoever concerning consent, which alone causes his testimony to be incompetent and inadmissible. Let's not stop here. The doctor found NO evidence that any sexual contact had taken place. A lab found NO male biological material. The doctor found NO sexual area injury or anomaly. The doctor had NO medical evidence of sexual contact. But, since you paid him \$150.00 to testify that Connie was 'sexually assaulted to a reasonable degree of medical certainty' and tell the jury that he 'believes her story', the doctor gave the testimony that you paid him to give. His testimony was strictly and specifically forbidden by law because it is incompetent testimony and will cause a jury to convict without an adequate evidentiary basis. Your doctor's opinions were expressly forbidden by law *and* had no basis in fact or medical science ;
8. The doctor also testified that he 'believed her story'. How remarkable! The doctor's own examination of Connie had conclusively *disproved* her 'story': Connie claimed that she was 'sexually assaulted'. The doctor discovered NO evidence of sexual contact. Connie claimed she had been 'repeatedly punched in the face'. The doctor found NO injury, bruising, or swelling on her face. Connie said she was 'strangled and choked'. The doctor found NO injury or bruising to her neck. Connie claimed her 'hair was pulled out'. The doctor found NO area of missing hair or scalp irritation. Connie said she 'ran barefoot down a long gravel driveway'. The doctor found NO bruise, scratch, or swelling on bottoms of either foot. Connie said her head was 'repeatedly slammed into a truck windshield and hood'. The doctor found NO swelling, bumps, or bruising on her head. Connie said she was bitten. In his medical report, the doctor made no mention of any 'bite mark'. The doctor's examination of Connie shows that her entire specific and detailed story is MEDICALLY PROVEN TO BE FALSE ;
9. Why would the doctor testify he 'believed her story' and say it was 'medically certain' she was sexually assaulted? You paid him money to say it and Judge Madden sat on the Board of Directors at the hospital where this doctor was employed. Judge Madden was his boss. The jury convicted me because this incompetent doctor testified Connie was sexually assaulted, yet there was no medical evidence of sexual contact and the doctor had no knowledge of consent. Wisconsin law prohibits such testimony and you knowingly broke the law to obtain my wrongful convictions. The Grandview Hospital then fired this doctor ;

10. Connie claimed she was assaulted "from midnight until 4am". I told you before trial that she had not even arrived back home until approximately 4:30am. I asked you to obtain Hurley Citgo phone records to prove that Connie had called me at my home at 4am from the Citgo station to ask that I come to town to pick her up. Truth didn't interest you so I obtained the certified Citgo pay phone records. They conclusively proved that Connie called me, at home, from the Citgo station at 3:49 am. After driving to town to pick her up, it was almost 4:30 when we arrived home. So much for her story that an assault lasted "from midnight until 4am". The phone records also proved that Connie had falsified police reports, lied under oath at a preliminary hearing, and at my trial for over 6-pages of the trial transcripts. A false story and much perjury is well proven ;
11. Connie claimed that I pointed a pistol at her, one with a "red-laser projecting sight". Police in two states searched for such a weapon but couldn't find any such thing. I had never owned any such weapon or device. It didn't exist. Once Connie learned that the police could find no such weapon or device, she began to downplay the laser part, even though it was her main and central complaint that had caused my arrest ;
12. Connie told police I had drugs, bombs, and fully automatic weapons at my business in Ironwood. While I sat in jail, search warrants were issued and police converged on my shop. Predictably and as I told you, there were no bombs, drugs, or illegal weapons of any kind. At this point, a competent prosecutor would have released me from jail and sent Connie to jail for obstruction of justice and falsifying police reports. At the very least, you should sent her out for a full psychiatric evaluation ;
13. As part of the trial process, it was your duty to disclose criminal histories of your witnesses. You did not. You instead concealed Connie's multiple criminal convictions that resulted from her having repeatedly been caught lying to Michigan police ;
14. You blocked my right to present evidence at trial that proves Connie falsely accused a wide variety of men (and women) of violent crimes against herself. These others would have testified that Connie also falsely accused them. Connie has an established pattern that shows whenever she gets mad at someone she abuses the legal system by falsely accusing them. You also knew I was not the first Connie has accused of rape. Even as I sat in jail awaiting trial on Connie's lies, you knew she proceeded in a Michigan court by accusing yet another man of 'trying to kill' her. Unlike you, Michigan is never willing to overlook Connie's lying and they refuse to destroy any man's life to satisfy a lust for prosecution or fulfill her (or your) personal vendetta ;
15. In order to get her to say what you wanted her to say, the record shows that you used all leading questions on Connie at trial. When my attorney questioned Connie without giving her answers, she suddenly couldn't remember her own

story, claimed she had a memory lapse, and refused to answer 70% of the questions asked by my attorney that concern her own story. The 30% she did answer conflicted with her prior statements ;

16. At trial, you extracted Connie's perjured testimony that she returned to my home with officer Robinson after my arrest to recover clothing that was supposedly evidence that I threw water. You then called officer Robinson to the stand and tried to get him to tell the same lies under oath, but Officer Robinson made you look like a buffoon. He had refused to lie. He instead truthfully testified that he had never recovered any clothing from my house, with or without Connie, or at any time ;
17. I also advised you of an eyewitness to the fact I am falsely accused. The eyewitness is Connie's own sister, Michelle. Connie testified an assault was in progress at the time Michelle arrived at my house, said I had not allowed the sister in and told her to 'go away'. I told you it was another lie, that the sister came to my house but I personally invited her inside and told you the sister spent 10 minutes inside my home and is an eyewitness that Connie's story is a lie. You then contacted Michelle prior to trial. You learned that Connie was in fact lying. But, you then allowed Connie to take the stand and **knowingly** allowed her to commit perjury ;
18. After trial, my attorney wrote to you requesting copies of photographs and the sexual assault test kit in my case. You wrote back to him and boldly LIED by claiming that the photos and test kit were 'missing' and were 'unavailable'. You also claimed in your letter that Deputy Roy Foryan conducted extensive investigation into 'disappearance' of this evidence and named the witnesses Deputy Foryan had contacted. You concluded your letter by stating that the evidence remained 'lost'.
19. I wrote to Deputy Roy Foryan. I asked him for details concerning the 'thorough' investigation you mentioned in your letter to my attorney. Deputy Foryan wrote back to me. He said he had **NO** involvement in any such investigation or with any other aspect of my case. I then wrote to Ms. Giacomino (court clerk), and asked what she thought could have become of the 'missing' photos. She promptly replied. She sent copies of the same photos you said were missing. Moreover, witnesses submitted affidavits swearing that they heard you tell Judge Madden that you *destroyed* the DNA kit prior to trial. Sure have caught you all in a lot of lies, huh? We are not done not yet, however ;
20. I then made proper request for copies of public records that will prove additional lies by yourself and Connie. The law requires Sheriff Bruneau to respond to open records requests directed to him. He refused to comply then began rejecting my mail without opening it. That is evidence of criminal conspiracy and felony misconduct in office ;

21. I sent Judge Madden affidavits of persons who heard Connie threaten to falsely accuse me, and an affidavit of a bartender to whom Connie confessed my innocence after trial. I asked Judge Madden to copy them and return originals to me. He refused to send the originals back and now claims he doesn't have the confession affidavit. Madden then began refusing my unopened mail that contained proper legal pleadings. This is more evidence of criminal conspiracy, felony misconduct in office, and federal crime ;
22. My son loves and misses his dad and wants him home, where everyone knows that he belongs, so created website *www.freemyfather.com* to show the entire world all the false accusations, profuse lying, cover-ups, prosecutor and judge corruption and crime, protection of criminals, and the gross scandal surrounding my case. Advertising for this website was published in the *Ironwood Daily Globe*. You didn't like that so retaliated against me. That too back-fired on you ;
23. In Sept. of 2005, you retaliated. You called the prison to falsely accuse me of calling Connie Vargovich to threaten and harass her. Once again, you were caught LYING. Your call to the prison was intended to cause severe prison disciplinary actions against me. But you really bungled that lie. Prison officials investigated your accusations and learned that your accusations were "baseless". I guess you didn't know then, but you know it now, that all prison inmate phone calls are logged and tape recorded. There were no calls to Connie. Not one. I complained about you to state officials concerning your retaliatory acts and profuse lying. You claimed that someone in your office made the call. The prison Captain said the one who called here identified himself as "Marty Lipske". Mr. Lipske, is your secretary named "Marty Lipske"? I didn't think so. A news reporter also called you about this. You told her that "Connie lied". Hey, that's a start! At least you now admit Connie falsely accuses me (it likely was you) ;
24. A man by the name of Charles Hess, who happens to be a former police chief and licensed investigator, has donated his investigative services to my case. His discovery makes it clear why you, Madden, and Sheriff Bruneau railroaded me, refuse to prosecute Connie for extremely cruel crimes, explains why you all lie so much and 'lost' so much evidence in my favor, and explains why my proven to be wrongful conviction doesn't bother you. It is now conclusively established by multiple eyewitnesses that Judge Madden was 'screwing around' physically with Connie Vargovich for many years prior to my trial, even behind my back while she lived with me. Judge Madden couldn't even keep his hands off her during breaks in my trial. Multiple witnesses watched as Judge Madden groped Connie in a hallway during a break in my trial ;
25. This case never was about crime, guilt or innocence, or justice. There was no crime and there was no justice. Mr. Kim Aijala had bruised Connie's legs and I told you to go talk to him because Connie was cheating on me with Aijala, the exact reason why I told her to move out of my house. At trial, Connie even *admitted* she had gone to Mr. Aijala's house 12-hours before my arrest even

though she had a personal protection order against him for his having "*bruised her many of times*". She was there until 4am then called me to come and pick her up. He roughed her up and tossed her out. That was the relationship they had. How interesting that Mr. Aijala, for the first time in his life, moved out of town right after my arrest. How coincidental that he returned right after I was sent to prison. I have a 42-year sentence for having my girlfriend move out of my house because she was cheating on me. I now know she was even cheating with the corrupt judge who put me here. Excuse me while I get sick ;

Mr. Lipske, the above are just a few of the facts you are well aware of. I will save the rest of my facts and evidence for federal and state law enforcement should this matter not be resolved soon by you and Madden. This case has been steadily gathering more and more attention from both the public and press, and [www.freemyfather.com](http://www.freemyfather.com) has already hosted 9,200 visitors to date. We had to upgrade computers just to keep up. As you now know, I have tremendous community support. Everyone is shocked, appalled, and disgusted with you, Connie, and Judge Madden, and what you did, and continue to do, to my family and I. Thousands are watching how you are all continuing in unethical, corrupt, and illegal acts. Everyone clearly sees that lies and corruption wrongfully convicted me, and are disgusted that long overdue relief is denied.

THEREFORE, I invite you to respond to this letter. I will publish your response. Address the above issues (1-25). Be sure to answer whether it is your gross incompetence that keeps me locked away from my family (while Connie enjoys life with hers), or whether it is ongoing criminal conspiracy and criminal acts orchestrated by Judge Patrick Madden as a continuing judicial 'favor' to his girlfriend, Connie. Everyone is now aware of the scandal in this case. We want to know who is directing it and are waiting to see who has the integrity to put an end to it. If you don't answer this letter, we know why. It is because the true criminals have been exposed and they wish to remain silent. You have knowingly prosecuted an innocent man and knowingly participate in a criminal conspiracy to deny me justice. Care to respond, Mr. Lipske or Judge Madden? I didn't think so. You know the law: "Everything you say can and will be used against you in a court of law".

Sincerely,



cc: Judge Madden;  
Community (via Internet)