

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

August 19, 2005

Mr. Martin J. Lipske  
Iron County District Attorney  
300 Taconite St. - Courthouse  
Hurley, WI 54534

Dear Mr. Lipske,

Your improper actions in my case have been and will continue to be presented to the Iron County community via the internet. There have already been many responses from concerned residents of Iron County. They have expressed shock, disgust and outrage at your actions and inaction in my case and are no longer falling for the many lies that you and my accuser have told, and will no longer tolerate your unethical and illegal acts in this case. The evidence now in proves that you clearly *intended* to cause my wrongful conviction, and further proves that you are now involved in a conspiracy to obstruct justice to deprive me of my freedom. The residents of Iron County have recently been learning of your ongoing obstructions of justice in this matter, your ongoing illegal and illicit acts, and the aiding and abetting of those illicit acts by other Iron County officials such as Judge Patrick Madden and Sheriff Robert Bruneau. Iron County citizens are indicating they will not tolerate your refusal to address my proven wrongful conviction issues.

At trial, Iron County Sheriff's Deputy Robinson claimed that police conducted no investigation whatsoever in this case prior to your bringing me to trial despite the fact that you were aware my accuser Connie Vargovich had multiple criminal convictions for having previously lied to police and had a history of making accusations of crime against other men, which accusations were virtual rubber stamp copies of the accusations she made against me. You were also aware that, while I sat in jail awaiting trial here, Ms. Vargovich proceeded in Michigan court, accusing yet another man of serious crimes. You were also aware that she sent a prior boyfriend to prison for sexual assault. You were aware that her accusations here were inconsistent, ever changing, contradictory, and knew that her initial handwritten police reports actually *denied* sexual assault. You also admitted on record that Connie Vargovich made false accusations in her police reports, yet stated 'you weren't looking for any'. You also denied my repeated pre-trial requests that I be allowed to undergo polygraph testing in order to prove my truthfulness. You are also aware I presented certified Ameritech telephone records that prove irrefutably that the accusations against me are utterly false and that the details of Connie's story were a physical impossibility. Even if you were to ignore all other evidence of her false allegations, these phone records standing alone prove that her entire story is one big lie.

As you also know, a special prosecutor who later became involved due to my complaints against you admitted Connie Vargovich did tell lies under oath at my trial and preliminary hearing. That is perjury and you knowingly relied upon perjury to wrongfully convict me. You are also aware that Connie Vargovich herself admitted at trial that her story was inconsistent, had evolved, escalated, contradicted, and that the complaints for which I stood trial had not been her original complaints. Her initial complaints to police were insufficient to obtain my arrest.

You are also quite aware that Connie Vargovich failed to answer 70% of the relevant questions posed to her by defense counsel at trial, pretending to suffer a mysterious memory loss each time she was questioned concerning the details of her own accusations. You are also aware that she claimed I had pointed a "laser-sighted pistol" at her, but immediate and thorough searches by police in two states found no such weapon. You are also aware she next claimed I had 'bombs' and 'fully automatic weapons', yet those same police in two states found no such items. You were also provided an eyewitness to the fact that Connie had fabricated her entire story and at trial heard one of Connie's sisters admit she had given false information to the police. You are also aware of the sworn affidavits made by several individuals who swore under oath that Connie threatened to falsely accuse me if I ever broke up with her, and who also heard her later admit that she did falsely accuse me, and expressed remorse for having done so.

You also obtained a DNA 'rape' test kit prior to trial, but the Grand View hospital lab could find no male biological material, which exonerated me. Yet contrary to the court's order not to, you disposed of that test kit *prior to trial*, then lied to my attorney, Ray Dall'Osto, claiming the kit was somehow 'misplaced'. In a letter you sent to attorney Dall'Osto, you further falsely stated that you had Lt. Roy Foryan of the Iron County Sheriff's Department investigate and search for the allegedly missing DNA test kit, but you claimed that Lt. Foryan could not locate or determine what had happened to the DNA kit. You also stated in your letter that the trial photographs were also unavailable. You are now aware that Lt Foryan later wrote to me and informed me that he had no involvement in any such investigation. You are also now aware that the circuit court clerk, Ms. Giacomino, sent me copies of the photos you falsely claimed were missing. Further, during a break in my trial, Deputy Robinson advised me he was angry with you because you had attempted to get him to lie under oath at my trial. He refused to lie concerning his involvement in certain matters that you and Connie had falsely asserted to the jury. I thanked Deputy Robinson for not lying at that point in the trial. His response was, "I'm not lying for that son-of-a -bitch".

Mr. Lipske, you know you have prosecuted an innocent man. You are now obstructing justice, resorting to lies, and withhold exculpatory/impeachment evidence. The judge and sheriff are now denying my access to public records that further prove your subornation and use of perjury. In fact, judge Madden is currently committing federal crime where he has repeatedly denied my constitutional right to access the Iron County Circuit Court. That is deprivation of civil rights performed under color of law, a federal crime. You strategically denied me a fair trial and prosecuted what you knew were false allegations and suppressed evidence that exonerates me. You seem entirely unable to tell the truth or to act in a moral, professional, or ethical manner. You destroyed my life for political gain. You have injured my son, mother, father, brothers, and sister. You destroyed my hard earned business of 17 years. Due to your repeated unethical acts and lack of conscience, you pose a very real and serious danger to the community. Everyone who crosses your path is in danger of what I am suffering. You have a long documented history of lying, cheating, and stealing. Both the Wisconsin and Minnesota Supreme Courts previously revoked your attorney license because of your consistent unethical behavior, and that information is now available on the website. Your grossly unethical conduct continues unabated to this day.

I will submit this letter to the citizens of Iron County so that they may see for themselves what you have done to their fellow citizen and friend, Don Miller. I believe there to be many very strong and morally upright persons in the community who will take action to remove you from office or take steps to ensure you will not be re-elected. I encourage them to write to the Office of Lawyer Regulation in Madison and write their government representatives and newspapers. You are clearly aware that this conviction was obtained by lies, knowingly acted to secure this wrongful conviction, and now act to obstruct justice. This is a proven wrongful conviction. Three Wisconsin attorneys concur. Evidence of perjury is overwhelming. Even a special prosecutor admitted Connie Vargovich lied under oath at my preliminary hearing and trial.

I remain in prison with a 42-year sentence for crimes that everyone KNOWS I did not commit. My mother was recently diagnosed with Parkinson's disease. My dad has a bad heart. My son was abandoned by his mother after you sent me off to prison in 1997. He has been virtually alone ever since. Your actions and inaction in this case are not acceptable by any moral person. Iron County residents who have taken their time to write to me have not only encouraged me but have expressed shock, disgust, and outrage at your actions, inaction, and refusal to help me. The jury was duped by you and Connie Vargovich. My family and myself now pay a horrendous price for Connie Vargovich's perjury and your knowing use of that perjury. If per some highly implausible reason you did not know then, you certainly know now that I was falsely accused. My attorney advised me of the situation here when he said, 'Nobody believes you are guilty anymore, Don. The only reason you're still in prison is because they're afraid that if they let you out you will come out swinging law suits like a Billy-club and beat everyone down'. I am in prison today not because of any guilt, but to save yourself, the sheriff, and the Judge from public embarrassment. If this isn't true, then *what is* your excuse for turning your back on a man proven to be falsely accused? How do you plead, Mr. Lipske?

This letter will appear on my son's website. It has already received hundreds of visitors. The residents of Iron County await your response to this letter, Mr. Lipske. If you do not respond, we will understand, because each statement here is a proven statement. No response will mean you admit all of it. Purpose of this letter is not intended to degrade you, cause you embarrassment or trouble, but to inform you that Iron County residents are now seeing for themselves your illegal and unethical acts. They, myself, and family, urge you to begin the work to reverse this wrongful conviction and hold the perjurer Connie Vargovich accountable for her proven and admitted lies that triggered this wrongful conviction and which also continue to cause each day tremendous sufferings on the part of myself and family.

Each and every citizen of Iron County is in grave danger. Who is next on your list, Mr. Lipske? Who's son, brother, sister, daughter, father, or mother will you wrongly prosecute next? Do you *really* believe that you have something to gain politically through your abhorrent acts? Where is your conscience? Morals? Ethics? The concerned citizens of Iron County await your response on each and every issue, sir. No reply indicates you do not deny one word written here. Should you attempt to deny any statement, I will prove you are falsely denying them. On behalf of myself and family, I urge you to immediately and effectively seek justice in this case by reversing this conviction. Thank you.

Sincerely,



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"He who permits himself to tell a lie once, finds it much easier to do a second time, till at length it becomes habitual...this falsehood of the tongue leads to that of the heart, and in time depraves all of its good dispositions."

(In a letter by Thomas Jefferson written to Peter Carr 220 years ago this day on 8/19/1785)

cc: Citizens of Iron County