

STATE OF MINNESOTA

IN SUPREME COURT

A18-0337

Jack Willis Nissalke,

Appellant,

VS.

**APPELLANTS RESPONSE
TO THE STATES BRIEF**

State of Minnesota,

Respondent,

District Court Case No. 85-CR-08-1884

Supreme Court Case No. A18-0337

TO: The Minnesota Supreme Court, 305 Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, MN. 55155, Minnesota Attorney General / Lori Swanson 1400 Bremer Tower 445 Minnesota Street, St. Paul, MN. 55101-2131, Winona County Administrator and County Attorney Karin Sonneman, 171 West Third Street, Winona, MN. 55987, and Jennifer D. Plante Olmsted County Attorney, 151 Fourth Street Southeast, Rochester, MN. 55904

Appellant Jack Willis Nissalke respectfully presents the following response in opposition to the states brief. Minnesota's 590 Post-Conviction statues have for all practical purposes eliminated all other avenues of relief, in doing so the state has placed convicted persons at a severe disadvantage. The limitations and restrictions in place under the 590 statue are virtually impossible to reach, even when conditions are perfect and everything is filled timely the other restrictions bar consideration of an appellants issues. This sets the stage for prosecutors to step out of bounds with no fear of repercussions, in order to gain convictions at all costs. Minnesota Statue 358.07 (9) Forms of Oath in various cases, To Attorneys states "you swear that you will support the Constitution of the United States