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**MONTANA FIFTH JUDICIAL DISTRICT COURT,
 MADISON COUNTY**

STATE OF MONTANA,)	Cause Nos. DC-29-2022-022
)	DC-29-2022-023
Plaintiff,)	DC-29-2022-024
vs.)	DC-29-2022-026
JESSE MICHAEL BOYD, BETHANY)	
GRACE BOYD, CARTER NORMAN)	DEFENDANTS RESPONSE TO
PHILLIPS, and ERIC ANTOHONY)	STATES MOTION TO COMPEL
TRENT,)	
Defendants.)	

COMES NOW Defendants Jesse M. Boyd (“Boyd”), Carter N. Phillips

(“Phillips”), Bethany Boyd (“Bethany”), and Eric Trent (“Trent”), by and through
 their counsel of record, with this response to the State’s motion to compel.

Defense appreciates the prosecution’s aggressiveness. Defense provided its
 witness list to the State weeks ago; and the defense has now provided the addresses

of the witnesses to the State via email exchange on March 13 with the State Attorney General's Office.

Accordingly the State's motion is moot. If there is anything further sought by the State we request notification. Defendants are still awaiting the State to produce defendant Eric Trent's I-phone to the defense.

Defense counsel does have security concerns with regard to the safety of defense witnesses. At least one witness has been previously attacked, threatened and beaten without provocation by the State's purported victim in this case. Two other witnesses have previously been blocked in their driveway by the 'victim' during an unprovoked escalation of violence by the 'victim.' Only upon the 'victim' noticing that he was being filmed did the 'victim' relent and unblock these witness's driveway.

Other defense witnesses report threats by the State's claimed victim. Counsel requests an order of protection for all defense witnesses; to prevent further violence, retaliation or harassment of defense witnesses.

Further, there is ongoing harassment by a certain Robert Baty of 4560 Larkbunting Dr Apt 7d, Fort Collins, Colorado. Mr. Baty, a pro-government extremist who torments people of faith nationwide, has taken an extreme interest in this case.

Mr. Baty has previously tormented loved ones of funeral attendees by planting false narratives online suggestive that the funeral attendees were responsible for the decedent's death.¹ A retired career IRS agent, Baty has spent years seeking to change IRS policy relating to tax free housing allowances for religious clergy.²

In support of the prosecution in this case, Mr. Baty has publicly posted photos of defendants' residences, defendants' home addresses, the warranty deeds to defendants' homes, photos of defendants' mailboxes, photos of defendants' driveway, property tax records of defendants, property tax records and images of defendants' grandparents' residences, maps directing people to defendants' residences, and satellite images of defendants' homes.³ This type of behavior is well known by law enforcement to be associated with predatory stalking and

¹ "Robert Baty: Using the Death of David Fulton as Weapon," *Youtube.com*, streamed live on Jan 5, 2021. "Robert Baty is an internet sociopath who is currently trying to use the death of our friend David Fulton, professionally known as Booleanenator and the producer of the many shows such as the NonSequitur Show and Caffeine Corner, as a weapon. He has made web page making wildly insane and inaccurate accusations about David committing suicide. We know how David passed, and we know it was by natural causes. To even speculate on his passing, with absolutely not a shred of evidence, then try to relate it to the me and the community as a whole is one of the all time most vile and morbidly disgusting thing I think I have ever seen someone do in my life. All of the community lost a friend...a dear friend and as a community we need to speak out and open denounce this type of atrocious and sick grossly unethical behavior. The family hasn't even had time to grieve and just imagine them having to see this about their loved one. It is unconscionable and the actions of a very sick and disturbed mind." <https://www.youtube.com/watch?v=UFOnvLXp92g> (accessed 3/5/2023).

² <https://www.forbes.com/sites/peterjreilly/2018/05/18/a-christian-not-an-atheist-sparked-lawsuit-on-clergy-tax-free-housing-allowances/?sh=3060ae774710> (accessed 3/5/2023).

³ <http://kehvrlb.com/jesse-boyd-v-montana> (accessed 3/5/2023).

criminal harassment.⁴ It is a well-recognized tactic of stalkers seeking to generate violence against their targets.

Recently, defense counsel have learned that Mr. Baty is harassing people on defense witness lists by contacting them via email, phone, or social media messaging demanding to know the witness's knowledge or understanding of the defendants.

To some extent, this campaign of harassment and intimidation is fueled in this case by the State Attorney General's office and members of the investigative team in this case, whose bodycam and dashcam recordings exhibit more than a half dozen instances of jokes and mocking remarks aimed at defendants' religious faith and missionary work. (A motion to dismiss on grounds of selective prosecution based on religion will be soon forthcoming.)

CONCLUSION

ACCORDINGLY, the State's motion to compel should be denied as moot. And counsel for defendants request an **order of protection** to protect defense witnesses from harassment, intimidation or threats by supporters of the prosecution.

Respectfully submitted this 13th day of March, 2023.

/s/ John M. Pierce

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CERTIFICATE OF SERVICE

I, John Pierce, hereby certify that on March 13, 2023 I caused an exact copy of this document to be sent via this Court's electronic filing system, to every attorney of record in this case.

/s/ John Pierce March 13, 2023

CERTIFICATE OF SERVICE

I, John M. Pierce, hereby certify that I have served true and accurate copies of the foregoing Answer/Brief - Response to the following on 03-13-2023:

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Dated: 03-13-2023