

FILED

State of Iowa 2019 APR -9 PM 12:49 April 9-2019

VS.

CLERK OF DISTRICT COURT
MONONA COUNTY, IOWA

KORI Dee Mathes

Case# 03671

SRCR016184

Court of Appeals case# 17-1909

I am writing to state that I would like further review on the decision made by the Court of Appeals.

I did not receive notice of their decision until April 6, 2019, even tho their decision was made March 20. My attorney stated "health issues" was the reason for his delay in notifying me. It gave me only 3 days to file any requests for an appeal, or further review.

I am requesting further review. Rule C.1103 States reasons that might be granted, and under (b) Grounds, I feel that b(2), b(3), and b(4) apply in my case.

I am currently looking for an attorney to represent me.

I am enclosing a copy of letter from attorney, showing I was not notified in proper time.

The facts are not stated in my dismissal, as to why my charge was dismissed, and my attorney made an agreement with the C.A., without my consent.

I feel 6.1103, b(2) applies to my case, along with b(3), and b(4), due to the way the warrant was originally granted. There is a substantial question of constitutional law, that I feel needs to be settled by the Supreme Court. It also is of broad public importance that this matter be addressed; b(4).

There stands an important question of changing legal principles in my case b(3).

I respectfully request further review, so several illegal acts are addressed.

Respectfully,
Loui D. Mathes

I am enclosing copies of

- 1.) Letter from attorney stating why I was notified late
- 2.) A copy of the motion to dismiss, stating "Upon agreement of the parties" (which I DID NOT agree to.
- 3.) Copy of the judges reason for issuing the warrant (relying on sworn testimony reflected on Attach "A")
- 4.) Copy of Attach "A", which the officer did not sign, but instead the judge did.

In my opinion the judge could NOT have issued warrant based on her statement, due to fact she had seen NO such sworn testimony referred to in Attach "A" because if she would have read it - she would NOT have put her signature on it.

Rees Conrad Douglas
Attorney at Law
Benson Building
705 Douglas St. Ste. 323
Sioux City, IA 51101
712/233-1822 (phone)

April 2, 2019

Lori Dee Mathes
1212 Cameo St.
Onawa, IA 51040

Re: State vs. Mathes, Iowa Supreme Court No. 171909

Dear Ms Mathes,

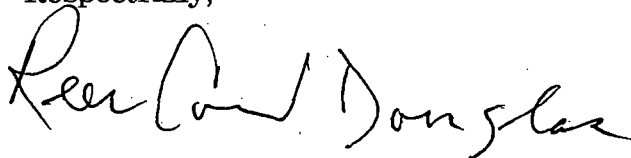
The decision by the Court of Appeals was filed on March 20, 2019. I enclose a copy for you. I am sending the copy to you just now because of health issues.

The next step would be either to wait for the Procedendo or to ask the Iowa Supreme Court to give further review to your case. A Procedendo is the complete and formal end of an appeal case. A request for further review asks the state Supreme Court to consider the case. The Iowa Supreme Court rarely grants further review. If the Iowa Supreme does grant further review, then the Iowa Supreme Court can overrule the decision by the Court of Appeals. I enclose a copy of the rule about what the reasons for a further review have to be. A request for further review in your case must be filed by April 9, 2019. I see no basis for a request for further review.

One option when a case is decided against somebody appealing a criminal case loses is to file a petition for post-conviction relief. In your case, you might claim that your trial attorney had provided ineffective assistance of counsel. You will have three years from the end of the appeal process to file that petition. I enclose the part of the law about the reasons for a post-conviction relief process. I do not see a basis for a petition for post-conviction relief.

Feel free to get in touch with me.

Respectfully,



IN THE IOWA DISTRICT COURT IN MONONA COUNTY

THE STATE OF IOWA,
Plaintiff,

v.

LORI DEE MATHES,
Defendant.

CRIMINAL NO. SRCR016184

MOTION TO DISMISS

The State of Iowa, through the undersigned Prosecuting Attorney, moves that the Court dismiss the above-captioned matter(s) for the following reason(s):

- o Upon agreement of the parties.

The State therefore asks that the above-captioned matter(s) be dismissed.

Ian A. McConeghey

Ian A. McConeghey AT0010542
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610 Iowa Ave
Onawa IA 51040
(712) 423-1728
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ENDORSEMENT

In issuing this search warrant, I relied on the following:

1. Sworn testimony from the affiant(s) as reflected in Attachment A.

2. Attachments: _____

3. Statement(s) attributed to the informants as outlined in Attachment A. The informant(s) appear reliable for the following reasons:

A. Informant _____ and/or the information provided by him/her appears reliable because:

- The informant is a police officer.
- The informant is a concerned citizen with no reason to fabricate the information.
- The information provided has been corroborated, specifically, _____

- The disclosure of the information is against the informant's penal interest.
- The informant has given reliable information in the past, which has led to _____ arrests, _____ search warrants, the recovery of _____ items of contraband or stolen property.
- The informant has not given false information in the past.
- The informant knows this information because: _____

B. Informant _____ and/or the information provided by him/her appears reliable because:

- The informant is a police officer.
- The informant is a concerned citizen with no reason to fabricate the information.
- The information provided has been corroborated, specifically, _____

- The disclosure of the information is against the informant's penal interest.
- The informant has given reliable information in the past, which has led to _____ arrests, _____ search warrants, the recovery of _____ items of contraband or stolen property.
- The informant has not given false information in the past.
- The informant knows this information because: _____

I FIND THE INFORMATION CONTAINED IN THE APPLICATION AND ATTACHMENTS ESTABLISHES PROBABLE CAUSE TO BELIEVE THE ITEMS LISTED ARE LOCATED IN THE PLACES INDICATED AND THAT THE INFORMATION JUSTIFIES THE ISSUANCE OF A SEARCH WARRANT AND, THEREFORE, I DO ISSUE A SEARCH WARRANT.

Judge/Magistrate Third Judicial District of Iowa

ATTACHMENT A

Affiant: Lee Kirkpatrick Jr.

Occupation: Peace Officer

No. Years: 14

On the 22nd of November I was working as uniformed police officer for the City of Onawa. I received a call to go to Debra Mathes residence due to a firearm was discharged. When I arrived I talked to Debra Mathes. She stated to me that Steve Mathes, her brother, stopped at her residence. Steve wanted some property that was his. Debra stated that Steve wanted some personal items and his guns. Debra states she told Steve he wasn't allowed to have the guns due to he is a felon. Steve became upset and Debra gave him the guns. One gun was a .22 caliber rifle and the other a .22 caliber revolver. Steve wanted his wedding rings also. Debra stated to Steve she didn't have them and Steve got upset. Steve, while holding the .22 revolver, shot one round into the kitchen window. Steve then left the residence. Steve returned shortly after this and told Debra she needed to find his wedding rings or she will not see another day. Steve then departed the residence.

cc
 na
 ats
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 statement

See attached statement for Debra Mathes:

After I left the Debra Mathes residence I went back to my office and ran a criminal history on Steve Mathes. The criminal history does confirm Steve Mathes is a convicted felon.

Steve Mathes lives with his ex-wife a Lori Mathes at 1212 Cameo Street Onawa. I also know Steve Mathes has a storage unit at Onawa Self Storage and Craft Store property located at 412 10th street. I have seen Steve at this storage unit several times in the past. I know that Steve Mathes' storage shed is storage shed #19.

deposition states different

I am therefore requesting two separate search warrants be obtained and executed; one for the residence at 1212 Cameo Street and the other for Steve Mathes' storage shed, shed #19, located at Onawa Self Storage.

Officer Lee Kirkpatrick Jr.
Onawa Police Department



State of Iowa Courts

Type: CERTIFIED NOTICE OF APPEAL

Case Number **Case Title**
SRCR016184 STATE OF IOWA VS MATHES, LORI DEE

So Ordered

I, Karen Kahl, do hereby certify that I am the Clerk of District Court in and for Monona County, Iowa and that I have the possession and control of official records in and for said County and am charged with the duty of keeping said records and that this is a true copy of said records.

Karen Kahl, Clerk of District Court, Monona County

By: *Teresa Parrish*, Designee
Teresa Parrish