Filed in District Court
State of Minnesota
1/6/2023 12:03 PM

STATE OF MINNESOTA **DISTRICT COURT**

COUNTY OF CASS **NINTH JUDICIAL DISTRICT**

Ronald G. Kremmin,
Petitioner,

vs.

Cass County Sheriff's Office
Respondent.

STATE'S NOTICE OF MOTION AND MOTION TO CONTINUE

Court File Number:11-CV-22-2222

TO: The Honorable Christopher J. Strandlie, District Court Judge and Ronald G. Kremmin, Prairie St. John's – 510 – 4th Street South, Fargo, ND 58103

This matter is addressed to the Honorable Christopher Strandlie because Minnesota Statute 343.235 Subd. 3(b) requires this matter to be "conducted by the judge who issued the warrant."

As noted in Petitioner's filing, this matter involves the seizure of a substantial number of animals pursuant to Minnesota Statute Chapter 343.

Minnesota Statute 343.235 governs the disposition of these animals and Subdivision 3(b) requires that a hearing be held within five business days of a Petitioner's request to determine the validity of the seizure and impoundment.

Petitioner filed such a request on December 29, 2022. That request, however, was rejected as deficient because it did not include a $295 filing fee.

Minnesota Rule of Civil Procedure 5.04(d) permits the court in the interest of justice to deem a filing rejected for lack of fee to be filed as of the time and date it was originally tendered to the appropriate administrator for filing.

It is the undersigned's belief that the Petitioner would qualify in forma pauperis given the very nature of the seizure at issue in this case. It is also the undersigned's belief that Petitioner's circumstances could be grounds for the Court to find his petition filing was timely within the meaning of Minn.R.Civ.Pro. 5.04(d). Petitioner is currently at Prairie St. John's and has a pending Civil Commitment matter pending. Reference Court File 11-PR-22-2217.

Therefore, it is requested that the Court waive the Petitioner's filing fee and schedule this matter for hearing within five days so the Petitioner's request to determine the validity of the seizure can be addressed and whether the animals are subject to return to the petitioner or disposition by proper authorities.

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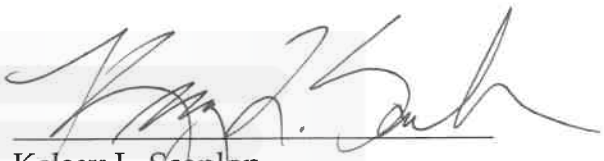
Dated: January 6, 2023

Respectfully Submitted,



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