

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

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State of Minnesota,  
Plaintiff,

vs.

**NOTICE OF APPEAL BY THE  
PROSECUTING ATTORNEY TO THE  
COURT OF APPEALS FROM  
DISTRICT COURT ORDER DENYING  
CONTINUANCE AND ORDERING  
SEVERANCE**

J. Alexander Kueng,

Court File No.: 27-CR-20-12953

Thomas Kiernan Lane

Court File No.: 27-CR-20-12951

Tou Thao,

Court File No.: 27-CR-20-12949

Defendants.

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To: Clerk of Appellate Courts  
305 Minnesota Judicial Center  
25 Dr. Martin Luther King Blvd.  
St. Paul, MN 55155-6102

Clerk of District Court  
C-1251 Government Center  
300 South Sixth Street  
Minneapolis, MN 55487

Thomas Plunkett  
U.S. Bank Center  
Suite 1500  
St. Paul, MN 55101  
*Attorney for Defendant Kueng*

Judge Peter Cahill  
Judge of District Court  
C-731 Government Center  
300 South Sixth Street  
Minneapolis, MN 55487

Earl Gray  
1st Bank Building  
332 Minnesota Street Suite W1610  
Saint Paul, Minnesota 55101  
*Attorney for Defendant Lane*

Robert Paule  
920 Second Avenue South  
Ste. 975  
Minneapolis, MN 55402  
*Attorney for Defendant Thao*

Cathryn Middlebrook  
Chief Appellate Public Defender  
540 Fairview Avenue North, Ste. 300  
St. Paul, MN 55104

PLEASE TAKE NOTICE that the prosecuting attorney in the above-entitled cases hereby appeals to the Court of Appeals of the State of Minnesota from written orders, dated January 11 and January 21, 2021, by the Honorable Peter Cahill, Judge of Hennepin County District Court, *sua sponte* severing Defendants' trial and ordering that it proceed on August 23, 2021.

The Statement of the Case is attached.

DATED: January 28, 2021

KEITH ELLISON  
Attorney General  
State of Minnesota

**/s/ Matthew Frank**  
By: MATTHEW FRANK  
Assistant Attorney General  
Atty. Reg. No. 021940X  
445 Minnesota Street, Suite 1400  
St. Paul, Minnesota 55101-2131  
(651) 757-1448 (Voice)  
(651) 297-4348 (Fax)  
matthew.frank@ag.state.mn.us

ATTORNEYS FOR PLAINTIFF