

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

**NOTICE OF MOTION
AND MOTION FOR
CHANGE OF VENUE**

PLAINTIFF,

V.

TOU THAO,

DEFENDANT.

COURT FILE NO. 27-CR-20-12949

TO: THE HONORABLE PETER A. CAHILL, JUDGE OF DISTRICT COURT, AND
MR. MATTHEW G. FRANK, ASSISTANT ATTORNEY GENERAL

NOTICE OF MOTION

Please take notice, that on September 11, 2020 at 9:00 am, or as soon thereafter as counsel may be heard, Tou Thao (“Mr. Thao” herein) will move the Court for an order changing venue from Hennepin County, Minnesota to either (1) St. Louis County, Minnesota, (2) Clay County, Minnesota, or (3) Crow Wing County, Minnesota.

MOTION

Pursuant to Minn. R. Crim. P. 24.03 subd. 1 (2020), Mr. Thao, by and through counsel, respectfully moves the Court for an order changing the venue of the above captioned case from Hennepin County, Minnesota to either; (1) St. Louis County, Minnesota, (2) Clay County, Minnesota, or (3) Crow Wing County, Minnesota.

The venue must be changed because a “fair and impartial trial cannot be had in the county in which the case is pending”, “in the interests of justice”, and because of overwhelming pretrial publicity that has violated Mr. Thao’s constitutional right to a fair and impartial trial by jury. Minn. R. Crim. P. 24.03 subd. 3 (2020); Minn. R. Crim. P. 25.02 subd. 3 (2020).

Mr. Thao additionally reserves his right to renew the motion should future surveys determine that a fair and impartial jury cannot be impaneled in Hennepin, County.

Respectfully submitted,

Dated: This 28th day of August, 2020

/s/ Robert M. Paule
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