

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

STATE OF MINNESOTA,
Plaintiff

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

v.

DEFENSE'S OBJECTION TO STATE'S
MOTION FOR JOINDERTHOMAS KIERNAN LANE,
Defendant,

The defense objects to the State's motion for joinder. Joinder of the cases would cause extreme prejudice for this defendant.

Thomas Lane enjoys the right to a complete defense and will not be afforded this right should his case be joined with the other three Officers. There are very likely going to be antagonistic defenses presented at the trial. It is plausible that all Officers have a different version of what happened and Officers place blame on one another. The jury would have to choose between the defendants testimonies to reach their verdict. *State v. Hathaway*, 379 N.W.2d 498 (Minn. 1985) (citing, *State v. Kinkade*, 680 P.2d 801(Ariz. 1984)). The defenses are inconsistent and the cases cannot be tried together. *Santiago v. State*, 644 N.W.2d 425 (Minn. 2002).

Dated this 8th day of September, 2020.

Respectfully Submitted,

s/ Earl P. Gray

Earl P. Gray
Attorney No. 37072
332 Minnesota Street
Suite W-1610
St. Paul, Minnesota 55101
(651) 223-5175