## HOW TO FILE A MOTION TO RE-OPEN CASE (ON A CITATION)

## **Instructions:**

- 1. Obtain a court date and a copy of the paid citation at the Criminal Filing Desk at the appropriate court location in Dakota County.
- 2. Fill out the attached Notice of Motion and Motion to Re-Open Case and sign and date it.
- 3. Make two copies of the completed Notice of Motion and Motion paperwork. One copy is for you and the other copy must be served upon the prosecutor. A list of mailing addresses for all Dakota County prosecutors is attached.
- 4. Have a third party (NOT YOU) who is 18 years or older, mail a copy of the papers to the other party. They can be mailed on any day EXCEPT a legal holiday. Court Rules require FIRST CLASS MAIL only, not certified or registered mail. The person who mailed the papers to the other party must then complete an Affidavit of Service by Mail (also attached).

## **Please Note:**

- DO NOT have the person fill out the Affidavit of Service by Mail until AFTER they have mailed a copy of the papers to the other party.
- DO NOT have the person sign the Affidavit of Service by Mail until they are in the presence of a Notary Public or a Deputy Court Administrator.
- 5. File the original Notice of Motion and Motion paperwork, and the original Affidavit of Service at the Criminal Filing Desk where you obtained the court date.
- 6. *NOTE:* Your case will not be placed on the court's calendar until you file the original documents which must be done at least seven (7) days prior to the court date.

COURT PERSONNEL <u>CANNOT</u> HELP YOU FILL OUT THE FORM(S) IN THIS PACKET. IF YOU REQUIRE ASSISTANCE, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY.

State of Minnesota District Court

County	of: DAKOTA	Judicial District: FIRST Court File Number: Case Type: CRIMINAL	
State of	f Minnesota	NOTICE OF MOTION AND MOTION TO RE-OPEN CASE	
Vs.			
	Name of Defendan	t t	
1.	My name is:		
2.	My date of birth is:		
3.	My address and local telephone are:		
4.	My driver license nu	mber is:	
5.	The citation number	s:	
6.	I should be allowed to re-open my case for the following reason(s)		
7.	The date of the heari	ng is	
Date:			
		Signature	
		Printed Name	

State of Minnesota	District Court				
County of Dakota	Judicial District: First				
•	Court File Number:				
	Case Type: Criminal				
	JI				
Affidavit of Service					
STATE OF MINNESOTA	)				
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COUNTY OF					
COUNTY OF(County where Affi					
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I,	being duly sworn upon oath, state that I am at				
(Name of person who mailed t	being duly sworn upon oath, state that I am at documents)				
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least 18 years of age; that on	/ I served the attached documents (Copy of				
	real the attached documents (copy or				
<b>Notice of Motion and Motion)</b>	y mailed a true and correct copy to the following party at the				
following address by placing the	documents in the U.S. mail in the City of				
following address by placing the	documents in the O.S. man in the City of				
with sufficient postage:					
1 8					
Prosecuting Attorney for the Cit	of				
1 Tobecumg 7 morney for the City of					
Address					
Dated:					
	Signature				
	(Sign only in front of Notary Public or Deputy Court Administrator)				
	(Sign only in from of Hotary I would be Depuny Count Hamming more)				
	Name:				
	<del></del>				
Sworn/affirmed before me this	Address:				
dowlaf	City/Stata/Zin				
day of,	City/State/Zip:				
	Telephone				

## DAKOTA COUNTY PROSECUTORS

A 1 77 11 TO 11 A11	75 7 7 D (1 A)
Apple Valley Prosecuting Attorney	Mendota Prosecuting Attorney
Dougherty, Molenda, Solfest, Hills & Bauer	Eckberg Lammers
14985 Glazier Avenue, Suite 525	1809 Northwestern Avenue
Apple Valley, MN 55124	Stillwater, MN 55082
Burnsville Prosecuting Attorney	Mendota Heights Prosecuting Attorney
Campbell, Knutson, PA	Grannis & Hauge, PA
1380 Corporate Center Curve, Suite 317	1260 Yankee Doodle Road, Suite 200
Eagan, MN 55121	Eagan, MN 55121
Luguii, Wil 33121	Eugun, WIV 33121
Coates Prosecuting Attorney	Miesville Prosecuting Attorney
Dougherty, Molenda, Solfest, Hills & Bauer	Fluegel Law Firm, PA
14985 Glazier Avenue, Suite 525	999 Westview Drive
Apple Valley, MN 55124	Hastings, MN 55033
Dakota County Attorney	New Trier Prosecuting Attorney
1560 W Highway 55	Lampe Law Group, LLP
Hastings, MN 55033	105 E 5 <sup>th</sup> Street, PO Box 240
	Northfield, MN 55057
Fagon Dragoouting Attorney	Northfield Programting Attorney
Eagan Prosecuting Attorney	Northfield Prosecuting Attorney
Grannis & Hauge, PA	Eckberg Lammers
1260 Yankee Doodle Road, Suite 200	1809 Northwestern Avenue
Eagan, MN 55121	Stillwater, MN 55082
Farmington Prosecuting Attorney	Randolph Prosecuting Attorney
Campbell, Knutson, PA	Lampe Law Group, LLP
1380 Corporate Center Curve, Suite 317	105 E 5 <sup>th</sup> Street, PO Box 240
Eagan, MN 55121	Northfield, MN 55057
	1.014.11.01.00.007
Hampton Prosecuting Attorney	Rosemount Prosecuting Attorney
Lampe Law Group, LLP	Fluegel Law Firm, PA
105 E 5 <sup>th</sup> Street, PO Box 240	999 Westview Drive
Northfield, MN 55057	Hastings, MN 55033
Hastings Prosecuting Attorney	South St. Paul Prosecuting Attorney
Fluegel Law Firm, PA	Campbell, Knutson, PA
999 Westview Drive	1380 Corporate Center Curve, Suite 317
Hastings, MN 55033	Eagan, MN 55121
Hastings, WIN 33033	Lagaii, WiN 33121
Inver Grove Heights Prosecuting Attorney	Sunfish Lake Prosecuting Attorney
LeVander, Gillen & Miller, PA	LeVander, Gillen & Miller, PA
633 S. Concord, Suite 400	633 S. Concord, Suite 400
So. St. Paul, MN 55075	So. St. Paul, MN 55075
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Lakeville Prosecuting Attorney	Vermillion Prosecuting Attorney
Campbell, Knutson, PA	Fluegel Law Firm, PA
1380 Corporate Center Curve, Suite 317	999 Westview Drive
Eagan, MN 55121	Hastings, MN 55033
Lilydale Prosecuting Attorney	West St. Paul Prosecuting Attorney
Eckberg Lammers	LeVander, Gillen & Miller, PA
1809 Northwestern Avenue	633 S. Concord, Suite 400
Stillwater, MN 55082	So. St. Paul, MN 55075
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