

HOW TO FILE A MOTION TO WITHDRAW A PLEA OF GUILTY¹ TO A PAYABLE CITATION

Use this form for citations Issued in Suburban Court Divisions (2, 3, and 4)

Use this form if:

- You received a payable citation; AND
- You were found guilty because you did not appear; OR
- You entered a guilty plea by paying all or part of the fine; OR
- You entered a guilty plea before a Hearing Officer; AND
- You want the court to reopen your case.

1. Obtain a court date and a copy of the "Register of Actions" of the case at any of the following locations:

Hennepin County Government Center Violations Bureau (skyway level) 300 S. 6 th Street Minneapolis MN 55487-0014	Brookdale Courthouse 6125 Shingle Creek Pkwy Suite 200 Brooklyn Center MN 55430	Ridgedale Courthouse 12601 Ridgedale Dr. Suite 300, 3 rd Floor Minnetonka MN 55305	Southdale Courthouse 7009 York Ave S. Suite 214, 2 nd Floor Edina MN 55435
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2. Fill out the attached Notice of Motion and Motion to Withdraw a Plea of Guilty 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 all mailing addresses for the Suburban Division prosecutors is attached.
4. Have a third party (**NOT YOU**) who is 18 years or older, mail or deliver a copy of the papers to the other party (the prosecutor for the city where your citation was issued). 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/delivered the papers to the other party must then complete a Proof of Service.
 - DO NOT have the person fill out the Proof of Service until AFTER they have mailed/delivered a copy of the papers to the prosecutor.
5. File the **original** Notice of Motion and Motion paperwork, and the **original** Proof of Service at any of the locations listed in step #1.

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 before the court date.

6. Do not be late for your hearing, and give yourself extra time because you will have to go through weapons screening. Plan on arriving early. If you get to the courtroom even a few minutes late, your motion may be denied if your case was already called and you were not there.

¹ This statutory notice was provided at the time of your citation: Minnesota Statute §169.91, subd. 3, provides in part, that failure to appear for a petty misdemeanor will be considered a plea of guilty and a waiver of the right to trial.

State of Minnesota

County of Hennepin

State of Minnesota

vs.

Defendant

District Court

Judicial District:	Fourth
Court File Number:	_____
Case Type:	Criminal

**NOTICE OF MOTION AND
MOTION TO WITHDRAW A
PLEA OF GUILTY TO A CITATION
(Suburban Divisions)**

Section 1

Name:	Date of Birth:
Address:	Driver's License Number:
	Phone Number:

Section 2.

The citation number is: _____ and a copy of the paid citation is attached.

Section 3

I should be allowed to withdraw my plea of guilty entered on _____ for the following reason(s):

Section 4

The court hearing is set for _____, 20____, at _____ A.M./P.M., at the following location:

- Brookdale Courthouse / 6125 Shingle Creek Parkway / Brooklyn Center, MN 55430
- Ridgedale Courthouse / 12601 Ridgedale Drive / Minnetonka, MN 55305
- Southdale Courthouse / 7009 York Avenue South / Edina, MN 55435

Date: _____

Signature

Printed name

State of Minnesota

District Court

County of Hennepin

Judicial District:	Fourth
Court File Number:	_____
Case Type:	Criminal

Proof of Service

I, _____ (name of person who mailed/delivered the documents), state under penalty of perjury that:

1. I am at least 18 years of age;
2. I served the attached documents (**Copy Notice of Motion and Motion to Withdraw a Plea of Guilty**) on the prosecutor listed below by placing the documents in the U.S. mail with sufficient postage and addressing it to the following address, or by delivery:

Prosecuting Attorney for the City of _____
Address _____

3. I am signing this document in _____ County, in the state of _____.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116

Dated: _____

Signature of person who mailed/delivered the documents

Print Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____ / _____

Email: _____

<p>Bloomington Prosecuting Attorney City of Bloomington 1800 West Old Shakopee Rd Bloomington, MN 55431</p>	<p>Independence Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>Osseo Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>
<p>Brooklyn Center Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>LMCD Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>	<p>Plymouth Prosecuting Attorney Campbell Knutson Professional Association 860 Blue Gentian Road Suite 290 Eagan, MN 55121</p>
<p>Brooklyn Park Prosecuting Attorney Colich & Associates 420 Lumber Exchange, 10 So 5th St Minneapolis, MN 55402</p>	<p>Long Lake Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>Richfield Prosecuting Attorney Martin Costello Law Office 6700 Portland Ave South Richfield, MN 55423</p>
<p>Champlin Prosecuting Attorney Barna, Guzy & Steffen, Ltd. 400 Northtown Financial Plaza 200 Coon Rapids Blvd Mpls, MN 55433-5894</p>	<p>Loretto Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>	<p>Robbinsdale Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>
<p>Corcoran Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>Maple Grove Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>	<p>Rockford Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>
<p>Crystal Prosecuting Attorney MacMillan, Wallace, Athanases & Patera 9220 Bass Lake Road, Suite 355 Minneapolis, MN 55428</p>	<p>Maple Plain Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Brooklyn Center, MN 55430</p>	<p>Rogers Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>
<p>Dayton Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Brooklyn Center, MN 55430</p>	<p>Medicine Lake Prosecuting Attorney Chestnut & Cambronne 17 Washington Ave North Suite 300 Minneapolis, MN 55401</p>	<p>St. Anthony Prosecuting Attorney Steven Carlson Foster, Ojile, Wentzell & Brever, LLC 2855 Anthony Lane South, #201 St. Anthony, MN 55418</p>
<p>Deephaven Prosecuting Attorney Tallen & Baertschi 920 Second Ave S, Suite 1540 Mpls, MN 55402</p>	<p>Medina Prosecuting Attorney Tallen & Baertschi 920 Second Ave S, Suite 1540 Mpls, MN 55402</p>	<p>St. Bonifacius Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue, Suite 200 Minnetonka, MN 55345</p>
<p>Eden Prairie Prosecuting Attorney Gregerson, Rosow, Johnson & Nilan 100 Washington Ave South, Suite 1550 Minneapolis, MN 55401</p>	<p>Metropolitan Airport Commission Prosecuting Attorney Chestnut & Cambronne 17 Washington Ave North, Suite 300 Minneapolis, MN 55401</p>	<p>St. Louis Park Prosecuting Attorney Colich & Associates, 420 Lumber Exchange 10 So 5th St Minneapolis, MN 55402</p>
<p>Edina Prosecuting Attorney Leach Law Office 6465 Wayzata Blvd, Suite 115 St. Louis Park, MN 55426</p>	<p>Metropolitan Transit – MOA – Prosecuting Attorney City of Bloomington 1800 West Old Shakopee Rd Bloomington, MN 55431</p>	<p>Shorewood Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue, Suite 200 Minnetonka, MN 55345</p>
<p>Excelsior Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue, Suite 200 Minnetonka, MN 55345</p>	<p>Minnetonka Prosecuting Attorney City of Minnetonka 14600 Minnetonka Blvd Minnetonka, MN 55345</p>	<p>Spring Park Prosecuting Attorney Gregory Keller Law Office P.O. Box 290 Delano, MN 55328</p>
<p>Golden Valley Prosecuting Attorney Chestnut & Cambronne 17 Washington Ave North Suite 300 Minneapolis, MN 55401</p>	<p>Minnetonka Beach Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue Suite 200 Minnetonka, MN 55345</p>	<p>Tonka Bay Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue Suite 200 Minnetonka, MN 55345</p>
<p>Greenfield Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>Minnetrista Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue Suite 200 Minnetonka, MN 55345</p>	<p>Wayzata Prosecuting Attorney Jeffrey W. Lambert, P.A. 1000 Twelve Oaks Center Drive #101 Wayzata, MN 55391</p>
<p>Greenwood Prosecuting Attorney Gregory Keller Law Office P.O. Box 290 Delano, MN 55328</p>	<p>Mound Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue Suite 200 Minnetonka, MN 55345</p>	<p>Woodland Prosecuting Attorney Tallen & Baertschi 920 Second Ave S Suite 1540 Mpls, MN 55402</p>
<p>Hanover Prosecuting Attorney Carson, Clelland & Schreder 6300 Shingle Creek Pkwy Suite #305 Brooklyn Center, MN 55430</p>	<p>New Hope Prosecuting Attorney Jensen & Sondrall, PA 8525 Edinbrook Crossing Suite 201 Brooklyn Park, MN 55443</p>	<p><i>Need help with this form?</i> Go to mncourts.gov/Hennepin and click on Self Help Center</p>
<p>Hopkins Prosecuting Attorney Chestnut & Cambronne 17 Washington Ave North Suite 300 Minneapolis, MN 55401</p>	<p>Orono Prosecuting Attorney Kenneth Potts Law Firm 5101 Thimsen Avenue Suite 200 Minnetonka, MN 55345</p>	

Suburban Hennepin Criminal County Courts:

Suburban Courthouse	Cities
Brookdale Courthouse (Division 2) 6125 Shingle Creek Parkway Brooklyn Center, MN 55430 612.348.2040	Brooklyn Center, Brooklyn Park, Champlin, Corcoran, Crystal, Dayton, Greenfield, Hanover, New Hope, Osseo, Robbinsdale, Rockford, Rogers, and St. Anthony (parts in Hennepin County).
Ridgedale Courthouse (Division 3) 12601 Ridgedale Drive, Suite 300 Minnetonka, MN 55305 612.348.2040	Deephaven, Eden Prairie, Excelsior, Golden Valley, Greenwood, Hopkins, Independence, LMCD, Long Lake, Loretto, Maple Grove, Maple Plain, Medicine Lake, Medina, Minnetonka, Minnetonka Beach, Minnetrista, Mound, Orono, Plymouth, Shorewood, Spring Park, St. Bonifacius, Tonka Bay, Wayzata and Woodland.
Southdale Courthouse (Division 4) 7009 York Avenue South, Suite 214 Edina, MN 55435 612.348.2040	Airport (MAC), Bloomington, Edina, Richfield and St. Louis Park.

Other Criminal Court Locations:

Division 1

Hennepin County Government Center

300 6th Street South

Minneapolis, MN 55487