OFFICE OF
WALLACE C. SIEH
County Attorney
MOWER COUNTY, MINNESOTA
COURT HOUSE
AUSTIN, MINN. 55912
507-437-4192

December 19, 1974

Mr. John C. McCarthy
Clerk of Supreme Court
230 State Capitol
St. Paul, Minnesota, 55101

Dear Mr. McCarthy: Re: Proposed Rules of Criminal Procedure

I enclose Petition in Opposition with Proof of Service.

I will be present at the Courtroom in the State Capitol at 9:30 A.M. January 31, 1975 and wait to be heard.

Sincerely,

Wallace C. Sieh

WALLACE C. SIEH
County Attorney

WCS/mj

Encs. (2)

12-23 copy to
C. Johnson
W.

AFFIDAVIT OF SERVICE BY MAIL

STATE OF MINNESOTA

SS

COUNTY OF MOWER

Marcia Johnson
[redacted], being first duly sworn on oath, deposes and says that on the 19th day of December, 19 74, the attached PETITION IN OPPOSITION was duly served on the persons and attorneys hereinafter named by placing a true and correct copy thereof in a sealed envelope, postage prepaid, and by deposit of same in the United States mail at Austin, Minnesota, properly addressed to the following at the addresses specified.

Mr. Frank Claybourne
Chairman
Advisory Committee on Rules of Criminal Procedure
1500 First National Bank Building
St. Paul, Minnesota, 55101

Marcia Johnson

Subscribed and sworn to before me this 19th day of December, 19 74.

Wallace C. Sieh

WALLACE C. SIEH, Notary Public
Mower County, Minnesota
My Commission Expires: February 26, 1981

STATE OF MINNESOTA

IN SUPREME COURT

IN RE PROPOSED RULES OF CRIMINAL PROCEDURE
45507

Petition in Opposition to 7 day and other time limits

Your Petitioner represents:

That he is now and has been the County Attorney for Mower County since about January 1, 1947.

That he opposes the 7 day limit on the following rules:

5.03 Requiring appearance in District Court 7 days after County Court.
8.04 Requiring omnibus hearing 7 days after initial appearance in District Court.

and other 3 and 4 day time limits in the rules
For these reasons:

1. The District Judge or County Attorney or Defense Attorney may not be readily available within 7 days.

2. Much wasted effort will be spent in either arranging for the 7 day appearance or hearing or getting an extension.

3. There is no good reason for the haste in any event. In most cases defendant will be on bail or otherwise released.

4. While reasonable speed is good. Speed for speeds sake is not good.
A. Proper consideration of most offenses requires a cooling off period whereby prosecutor, complainant, defense counsel, defendant, can take a second look at the situation. Often times this is to the defendants advantage because most of the time the offense doesn't seem quite as bad after a cooling off period.

B. The prosecution and defense often need more time than 7 days to prepare for omnibus hearing.

5. As is well known, legal procedures and especially court appearances cannot be set down on a clock basis.

6. Making these limits 20 instead of 7 days and directory and not mandatory or jurisdictional will avoid abortive proceedings; a provision may be made for prosecution or defense to get a court order speeding up proceedings if they are not done within a prescribed time.

ARGUMENT

The purpose of a criminal procedure to determine the guilt or innocence of defendant and/if guilty impose sentence. The Mapp v. Ohio decision imposed heavy burdens on prosecution and defense counsel to accomplish a purpose of conforming to constitutional principals. Now the time limits on these rules will impose great additional burdens on prosecution and defense for no real purpose or object. The time limits have absolutely nothing to do with the question of whether defendant is guilty or innocent. In fact if adopted will create such procedural problems that defendants guilt or innocence will go even farther into the background.

CONCLUSION

The 7 day and other time limitations are needless, impractical if not impossible of performance and will result in effort and expense that could better go to the merits of the prosecution and will result in aborting some prosecutions.

Wherefore Petitioner requests that the proposed rules be suitably altered with respect to the 7 day and other time limitations and petitioner requests to be heard on same.

Dated December 19, 1974

WALLACE C. SIEH, COUNTY ATTORNEY
Courthouse
Austin, Minnesota
Telephone (507) 437-4192

Copies Distributed
1-3-75

WEGNER, WEGNER & AMERMAN
ATTORNEYS AT LAW
2308 CENTRAL AVENUE, N. E.
MINNEAPOLIS, MINNESOTA 55418
789-8805

CARL O. WEGNER
JAMES L. WEGNER
DERCK AMERMAN

January 2, 1975

Mr. John McCarthy
Clerk of the Supreme Court of Minnesota
State Capitol
St. Paul, Minnesota

Re: In Re Proposed Rules of Criminal Procedure; File No. 45517

Dear Mr. McCarthy:

I am enclosing herewith original and eleven copies of Petition in the above matter. Pursuant to Order dated November 19, 1974, I hereby submit a request to be heard on this matter on January 31, 1975.

Yours very truly,

Derck Amerman

DA:kjr
Enc.

STATE OF MINNESOTA

IN SUPREME COURT

45517

IN RE PROPOSED RULES OF

CRIMINAL PROCEDURE

PETITION

The undersigned Petitioner, an Attorney at Law, in the State of Minnesota, hereby moves the Supreme Court of the State of Minnesota to delete from Rule 26.03 of the Minnesota Proposed Rules of Criminal Procedure, Subdivision 11 (h) and (i) and to substitute the following:

h. At the conclusion of the evidence, the prosecution shall commence and the defendant conclude the closing argument to the jury.

The above proposed paragraphs of the Minnesota Proposed Rules of Criminal Procedure radically alter the order of argument in criminal cases in Minnesota. That portion of the Rule is in direct contradiction to Minnesota Statutes Annotated Section 631.07, which is quoted below for reference purposes. The change in the Rule will not only be a change in tradition in Minnesota (the statute was enacted in 1875) but would force upon the Supreme Court of Minnesota a legislative function, to-wit: the amendment or modification of an existing statute. This is specifically prohibited in the enabling act made effective May 12, 1971, Minnesota Statutes Annotated 481.059.

631.07 Order of argument

When the evidence shall be concluded upon the trial of any indictment, unless the cause shall be submitted on either or both sides without argument, the plaintiff [illegible] the defendant conclude the argument to the jury

CITY OF SAINT PAUL
MUNICIPAL COURT

JOSEPH P. SUMMERS
JUDGE

January 2, 1975

Mr. John McCarthy
Clerk, Minnesota Supreme Court
St. Paul, Minnesota

45517

Dear Mr. McCarthy:

Pursuant to the order of the court dated November 19, 1974, I hereby request the opportunity to be heard, orally, before the court, at its hearing Friday, January 31, 1975, regarding the proposed Rules of Criminal Procedure.

Pursuant to the court's order, I shall file a written brief on or before January 20, 1975.

Sincerely,

Joseph P. Summers

JOSEPH P. SUMMERS

JPS:hk

1-3-75

Judge Summers:

We have filed the original of your letter. Your request is granted. At this point, there are only 3 others who have indicated a desire to be heard. Can you kindly file 12 copies of your brief with this office.

John McCarthy

John McCarthy, Clerk

Court House, Saint Paul, Minnesota 55102

612 298-4759

JOHN REMINGTON GRAHAM
COUNSELOR AT LAW
212 WEST FRANKLIN AVENUE
MINNEAPOLIS, MINNESOTA 55404

TELEPHONE 332-6885
AREA CODE 612

January 14, 1975

45517
45298

Mr. John McCarthy, Clerk
Minnesota Supreme Court
State Capitol Building
St. Paul, Minnesota

Dear Sir:

This will acknowledge notice of hearings to be held on the 31st of this month relative to the new criminal rules (Case No. 45517), and compulsory legal education (Case No. 45298), in which members of the bar are entitled to participate.

I hereby request recognition in oral argument in the morning on the new criminal rules. A formal brief will be filed, a copy to each Justice and to yourself, will be filed on or before the 20th of this month.

I also request recognition in oral argument in the afternoon on compulsory legal education. I have already filed a counter-petition and memorandum. A supplemental memorandum will be filed on or before the 24th of this month.

Thanking you for your attention, I remain

Respectfully yours,

John Remington Graham

January 16, 1975

Mr. Graham:

We have filed this letter and have added your name to the list of those who will appear in these matters.

John McCarthy
John McCarthy

STATE OF MINNESOTA
IN SUPREME COURT
No. 45517

Appearance of
John Remington Graham:

ADVISORY MEMORANDUM

In re Proposed Rules
of Criminal Procedure

MAY IT PLEASE THE COURT

1. The adoption of a comprehensive set of Minnesota Rules of Criminal Procedure is a laudable project. Yet, the matter should be approached with considerable caution. The main deficiency in our present system is that it consists of a patchwork of statutes, custom, and case law, which is not officially integrated. Even so, this disadvantage is fairly insignificant, because the state bench and bar have been favored with excellent, scholarly, and systematic treatises by Mssrs. Jones and McCarr. Moreover, the piecemeal character of our current procedure is really a reflection of careful development over a long period of time, in consequence of which what we now have, though imperfect, is generally established, understandable, fair, and workable. Why then should we be so anxious to adopt a new set of rules, so vastly complex and innovative as proposed by the Advisory Committee? It is an old adage that haste makes waste. What exists has borne the test of experience. The proposal before the Court is actually a complicated compromise of various points of view, often resulting in sweeping changes of questionable constitutionality and practicality, as well as radical departures from traditional notions of the common law, such as the abolition of preliminary hearings and informations, reciprocal pre-trial discovery, reversed order of final arguments at trial, etc.

This writer would have preferred either an attempted codification of present procedure subject to a few ameliorative changes; or else, if extensive modernization be deemed desirable, adoption of the federal rules, which are a sound and simple blend of the old and the new, with various modifications adapted to our court structure. No urgency requires immediate adoption. Further study is needed, but if this Court be disposed to adopt the proposed rules, substantially as suggested, certain alterations are urged. Unfortunately, this writer has had insufficient time to formulate comprehensive counter-proposals, but it is hoped that the following commentary will be useful.

2. Proposed Rule 2.02, as it stands, invariably requires the approval of a prosecutor before a complaint can issue, unless the prosecutor be unavailable and process must issue at once. Suppose, however, that a just complaint is made, but the prosecutor fails to act? Some remedy should certainly be available to prevent abuse of discretion not to prosecute, particularly in matters of political corruption. Under present procedures, such a situation may be remedied by direct application to and complaint before a magistrate, Minnesota Statutes, Sections 487.25 Subd. 3 and 633.03; by grand jury indictment or presentment, Minnesota Statutes 628.01 et seq.; and, in the limited case of an unfair campaign practice, appointment of a special prosecutor, or possibly writ of quo warranto, Minnesota Statutes, Section 211.33. The Committee Comment appears to affirm that any complaint not endorsed by a prosecutor and not requiring immediate issuance, no matter how proper, would be invalid under Proposed Rule 2.02. Reliance on grand jury procedures would often be inadequate. The provision for unfair campaign practices is too strong for universal application. It is suggested, therefore, that an additional proviso be added to Proposed Rule 2.02, to wit: that if a magistrate find that a private complaint, in which accusation by indictment or presentment be unnecessary, be proper, just, and based on probable cause; and that refusal of prosecutorial endorsement amount to abuse of discretion, then the complaint shall be valid, and process by warrant or summons may issue, and if abuse of prosecutorial discretion be egregious, a private counsel may be retained by the complainant, or be appointed if he be indigent, to act as prosecutor pro hac vice. This would defer to the spirit of the ABA Standards requiring primary prosecutorial responsibility in the commencement of criminal proceedings, and it would stiffen present requirements for private institution thereof; yet, it would provide a remedy for prosecutorial abuse of discretion be it mere error of judgment or political corruption.

3. There are serious constitutional deficiencies in Proposed Rule 17.02 Subd. 3. The fundamental guarantee of informative accusation includes an assured degree of clarity. The essentials of form in common law pleading must characterize a complaint, information, or indictment. Minnesota Constitution of 1974, Article I, Section 6; United States Constitution, Amendments VI and XIV; Twining v. New Jersey, 211

U.S. 78 at 100-101 (1908); Russell v. United States, 369 U.S. 749 (1962); United States v. Carll, 105 U.S. 611 (1881); United States v. Simmons, 96 U.S. 360 (1887); United States v. Cruikshank, 92 U.S. 542 (1875); Bins v. United States, 331 F. 2d 390 (5 Cir. 1964); Bratton v. United States, 73 F. 2d 795 (10 Cir. 1934); Creel v. United States, 21 F. 2d 690 (8 Cir. 1927). This, of course, means that criminal accusations must be free from duplicity, ambiguity, argumentation, prolixity, legal conclusion, etc. In other words, a criminal accusation must be a direct, specific statement of ultimate fact; when multiple crimes are charged, the facts constituting each offense must be distinctly alleged in a separate count.

Proposed Rule 17.02 Subd. 3 is problematical in that it permits several degrees of the same offense, each of which is a separate crime, to be charged in a single count. It also permits a count charging an offense to include implicitly lesser included offenses. In both of these particulars, the proposed rules permit duplicity of accusation, which is unconstitutional. Moreover, the proposed rule is unduly prolix. This can be remedied by displacing everything after the first two sentences in the proposed rule, with the following language: "Each count must charge only one offense. Allegations made in one count may be incorporated by reference in another count. Each offense, each degree of each offense, each lesser included offense, and each alternative means of committing the same offense, must be charged in a separate count." This would simplify and clarify the rule, as well as eliminate constitutional problems, and make pleas of double jeopardy in subsequent proceedings much easier to determine. The adoption of this suggestion would require modification of Proposed Rule 15.07 so as to permit amendments, as and if necessary, when guilty pleas are entered to lesser included offenses, or lesser degrees of the same offense.

4. Proposed Rule 14.01 should permit a plea of nolo contendere with the consent of the court. However metaphysical the distinction between this and a guilty plea, the public interest is sometimes best served by a plea of nolo contendere to accommodate intangible factors such as were involved in the circumstances surrounding the resignation of Mr. Agnew as Vice President of the United States. To prevent abuse, a proviso might be inserted prohibiting corporations and corporate

officers or directors from entering pleas of nolo contendere.

5. Proposed Rule 9 is most controversial because in tenor and spirit, insofar as reciprocal discovery is required, it violates the fundamental constitutional guarantee against self-incrimination. This writer relies on the arguments of his colleagues whom he knows will object to this proposal on the same or similar grounds. To draw meaningless distinctions between "real" and "testimonial" evidence, and to engage in other strained fancies of pseudo-reasoning needed to sustain this rule, can only undermine the Constitution as the bastion of liberty. The abuses which the proposal seeks to remedy can better be dealt with by adoption of Rules 15 and 16, F. R. Crim. P., in substance. As a further element of compromise, it might not be objectionable to incorporate, and thus retain, the language of Section 630.14 of Minnesota Statutes.

6. Proposed Rule 26.03 Subd. 11 (h) and (i) is fundamentally wrong. The burden of proof is on the prosecution, not the defense. The defense has nothing to say until the prosecution has spoken. A requirement that the defense must first speak in final argument is inconsistent with tradition and the fundamental idea of the presumed innocence of the accused. No objection is made to the suggested feature of rebuttal and surrebuttal, but reversed order of final argument is plainly unconstitutional. The want of precedent on this question is due to the shocking irregularity of the proposal, which should be stricken and replaced with the usual requirement that the prosecution make the first argument in final summation.

7. Finally, if the Court see fit to adopt these rules, with or without alterations, at very least a provision should be inserted to read substantially as follows: "The adoption of these rules shall not be construed to preclude objections in criminal proceedings to the constitutionality or statutory authorization hereof in whole or part, either prima facie or as applied." Without such a provision, express or implied, we would not be able to benefit from experience, and federal litigation would be invited.

Respectfully submitted,

JOHN REMINGTON GRAHAM
Counselor at Law
212 West Franklin Avenue
Minneapolis, Minnesota 55404
Telephone 871-8885

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JOHN E. DRAWZ
JOHN B. DEAN
DAVID J. KENNEDY
WARREN R. SAGSTUEN
GLENN E. PURDUE
WILLIAM E. FLYNN

January 17, 1975

Mr. John McCartny, Clerk
Minnesota Supreme Court
State Capitol Building
Saint Paul, Minnesota 55155

RE: Proposed Rules of Criminal Procedure

Dear Sir:

Enclosed for filing please find our brief in opposition to the proposed rules relating to misdemeanors. The brief is filed on behalf of the prosecuting attorneys for the Cities of Brooklyn Park, Crystal, Lauderdale, Plymouth and Richfield.

We request that the following be allowed to address the Court at the December 31, 1975, hearing:

Glenn E. Purdue
Warren R. Sagstuen
John B. Dean

Respectfully yours,

Glenn E. Purdue

GEP:jdb
Enclosure

Mr. Purdue: 1-20-75

Your request to address the court is granted. At this time, 6 others have been granted permission to address the court on these rules.

John McCarthy (296-2581)

STATE OF MINNESOTA

IN SUPREME COURT

IN RE PROPOSED RULES OF CRIMINAL PROCEDURES 45517	BRIEF REQUESTING FURTHER STUDY OF MISDEMEANOR RULES

The undersigned attorneys represent the Cities of Brooklyn Park, Crystal, Lauderdale, Plymouth and Richfield in the prosecution of misdemeanors, pursuant to the authority vested in municipal attorneys in Minn. Stat. 488A.10, Subd. 11 (1971). After review and study of the Proposed Rules as they relate to misdemeanor matters, we recommend the Court appoint a panel of persons including individuals experienced in misdemeanor prosecution and in law enforcement together with Municipal Court judges and clerks to review and revise the proposed rules relating to misdemeanors to the end that the goals expressed in Rule 1.02 might be fully accomplished.

While several of the proposed changes would serve to enhance and modernize criminal procedure in the State, it is our belief that several of the proposals will actually cause unnecessary delay, unjustifiable expense, and unreasonable and unnecessary complexity and inflexibility in the processing of misdemeanor cases. A complete review of the Proposed Rules will not be made herein; rather, several examples of rules which especially trouble us as misdemeanor prosecutors will be cited as examples of the need for further study and review.

Fule 4.02, subd. 5(3), which is apparently erroneously referred to as subd. 5(2) throughout the Comments, imposes time constraints in the issuance of formal complaints following requests therefor at the

first appearance. It is a rule for which no reason exists, and one which will greatly increase the time and expense required to prosecute cases. Except where the defendant is in custody, which is rare in misdemeanor cases, the Comment provides no reason for the 36-hour period, or for any definite period, and merely states that this period ". . . gives the prosecutor in most misdemeanor cases as much time . . . as . . . in most felony cases." P. 15. The proposal bespeaks a lack of knowledge of the practical factors involved in misdemeanor practice where the defendant is given an early arraignment rather than held in jail until the case is prepared. In Hennepin County, the normal period between demand and issuance of a formal complaint is 14 days. Further, the proposal rectifies no known deficiency in the current procedure and supposes the Bench is unable to control any rare indefensible delays which may occur in the preparation of formal complaints after a request therefor.

Since most arraignments are held in the morning hours, the 36-hour period ends in reality with the close of business the following day and in the case of demands on Friday, the period effectively ends actually seven and one-half hours later. A typical sequence of events in such a case under current practice could be as follows. The defendant requests a formal complaint at a morning arraignment. The prosecutor notes the request and remains in court during the remainder of the arraignment session and through probation reports and sentencing. He returns to his office later in the day and directs an assistant to gather arrest reports from the arresting agency, which may be the county sheriff, municipal police, the state patrol, or some other agency or private citizen. These requests may be made by telephone or letter the same day, or later if impossible that day. The arresting

agency forwards information by mail, often in batches to effect economies. Most misdemeanor complaint requests involve the offense of driving under the influence, and the results of chemical tests may not be available for several days. The assistant receives the reports by mail and reviews them for sufficiency. If they are insufficient to allow a full review of the situation, for more than a review of probable cause is required, the arresting officer or complainant witness must be personally contacted. Since officers work varying shifts, contact may not be made immediately, short of declaring an emergency. Where people other than police are involved, other delays may be anticipated. After receiving further information, the complaint is drafted, typed, reviewed, and mailed to the complainant witness. Under the current practice an officer may be able to arrange his appearance before a judge for the signing of two or more complaints at one time. We must emphasize that there is nothing unusual about this sequence of events. It represents the normal pattern which repeats many times a week. To say this procedure may be accomplished in the usual case within 36 hours, without unnecessary expense, is to totally ignore reality. The drafters of the Comment state that they suppose requests for complaints will be few, in view of the discovery rule. They also acknowledge most prosecutors have an open file policy now. However, they encourage requests for complaints when they state "A defendant, of course, may request a complaint under rule 4.02, subd. 5(2) [sic] to be better informed of the charges against him, . . ." P.33. What defense attorney would rather not be "better informed"? In one recent arraignment session, approximately 12% of the defendants requested complaints, in spite of an open file policy by the prosecutor.

It is well-known that the prosecutor of misdemeanor offenses differs greatly from the prosecution of more serious offenses due to factors such as the volume of cases, the differences in consequences of conviction to the defendant, the structure of courts, and other factors. These differences cannot be ignored, and, while the Committee apparently recognizes the same rules should not be made applicable to both types of cases, Rule 4.02, subd. 5(3) is an example of an unreasonable effort to force misdemeanor procedure to too closely resemble felony procedure. If any rule is to be imposed on misdemeanor situations, it should deal only with situations where the defendant is held in custody after his first appearance.

A second example of a proposal requiring further study is Rule 7.03, relating to the discovery of police investigatory reports. Such reports occasionally contain information which should not be disclosed. For instance, confidential sources may be mentioned or methods of investigation not generally known about may have been used. In domestic cases, neither party may be benefited by knowing all the information given to or known to police. The rule does not mention juvenile practice. For example, what if an accomplice is a juvenile? The end result may be that police will be forced to "launder" reports and keep some information elsewhere. This will appear to be an attempt to conceal information from the defendant, and motions, arguments, and continuances will result. On the other hand, there is no misdemeanor counterpart to Rule 9.02 requiring voluntary disclosures by defendants. Further review is imperative, with a view toward the development of a rule which will allow proper discovery and yet provide some flexibility.

Rule 15.07 authorizes the court to accept a plea to a lesser offense without the approval of the prosecuting

attorney. This rule violates a basic separation of the functions of judge and prosecutor essential to a system which protects both the rights of the public and the defendant. Prosecuting attorneys may not always have a full view of the needs of the public for carrying a case forward, and judges may not have facts available to the prosecutor which would militate against dismissal or amendment of a charge. More important, the proposal may well violate the separation of powers mandated by Article Three of our Constitution by removing from the legislative and executive branch the power to make and enforce the laws. In short, the present rules and statutes should not be changed without further consideration.

In many cases, the Comments differ markedly with the Rules. References to Rules in the Comments are often misnumbered or the Rule cited is non-existent. The Comment to Rule 4 provides that where a tab charge has been dismissed for failure to file a valid complaint within 36 hours, the prosecutor must file a valid complaint within 14 days after dismissal or all further prosecution is barred, citing Rule 17.06, subd. 4(3). P.15. A review of the cited rule deals with the curing of defects in indictments and complaints. Indeed, even a citation to a 14-day rule is an error, and is apparently inconsistent with the Comment on page 90 which specifies the prosecutor has but two days to move for a continuance. The Comment to Rule 5 states that trial in a misdemeanor be held on a misdemeanor charge within 30 days of demand or within ten days if the defendant is in custody, citing Rule 6. Rule 6 contains no provision which could even remotely support such a comment. There are so many similar errors throughout the Comments that one is forced to speculate whether the comments were intended to apply to some predecessor draft of the rules.

Several rules appear to be inconsistent. Rule 3.02, subd. 1 provides that the judicial officer issuing a warrant may set conditions for release of the defendant by so endorsing the warrant. Yet Rule 6.02 provides that the conditions of release shall be determined by the procedure therein. Rules 15.04, subd. 2(2) and 15.07 may be thought in conflict as to whether the court is required to accept a plea negotiation proposed by prosecutor and defense attorney. There are apparent conflicts between other rules.

This brief is not intended to be critical of the Advisory Committee. Indeed there are many Rules and Comments which appear well-considered and which serve a needed clarification and modification of our present procedure. The work of the Committee as applicable to felonies and gross misdemeanors should not, however, be marred by the adoption of the currently proposed misdemeanor rules.

While we are not unmindful of the important and valuable efforts of the Advisory Committee in the preparation of these proposed rules, we are, as misdemeanor prosecutors, deeply concerned with many aspects of the treatment given to misdemeanors. We fear that the rules relating to misdemeanors suffer from a lack of overall experience concerning the misdemeanor regions of the criminal justice system and are the product of a hurry-up effort to finish the project. We have personally heard from police officials and members of the municipal bench who are disturbed that no input was sought from their ranks and that the proposed rules do not reflect the product of their experience. We share those views and ask that

the Court refer the misdemeanor rules for further consideration and input from those involved in misedemeanor practice.

Respectfully submitted,

LeFEVERE, LEFLER, HAMILTON AND PEARSON
Attorneys at Law
1100 First National Bank Building
Minneapolis, Minnesota 55402
Telephone (612) 333-0543

By _____
Glenn E. Purdue

_____
Warren R. Sagstuen

_____
John B. Dean

Dated: January 17, 1975