

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

Vs.

**DEFENSE OBJECTION TO
LIMITATIONS ON ACCESS TO
INFORMATION**

Mohamed M. Noor,

Court File No.: 27-CR-18-6859

Defendant.

The Defense objects to the Court's limitation on access to a public trial.

The issue of access to information has been ongoing in this case and Mr. Noor has consistently objected to this practice by the Court. He now extends that objection to access to information in the trial as ordered by the Court.

This issue began when the State of Minnesota filed an inflammatory memorandum opposing the Defense motion for dismissal based no probable cause. In a subsequent in chambers status conference this Court made a decision to direct Counsel to not include exhibits in future filings if the exhibits contained information from the investigation in the form of grand jury transcripts, statements, training records or reports. The issue was that the State of Minnesota inaccurately referenced certain information and committed untruths by omission. At that time the Defense wanted to correct the record and get the truth to the public to prevent improper pre-trial persuasion by the Prosecution. Interestingly, the Court has ruled that none of the information the State included is admissible in the State's case in Chief. The State, however, has had the benefit of influencing public opinion to Mr. Noor's detriment. That information now

resides in the Court File as Court Exhibits. This practice has continued against Mr. Noor's objections and he has been denied fairness in these proceedings.

Shortly before trial the Court issued a *sua sponte* order limiting access to information during trial and then asked the Defense what their position is after the fact. The Defense took no position initially. Now, reflecting on the history of unfairness to Mr. Noor from restricted access to information, Mr. Noor, through Counsel, objects to the Court's continued practice of restricting access to information. The defense does not seek release of information previously restricted by this Court. To change that direction after that harm has been caused and can no longer be corrected would only harm Mr. Noor and allow the State to further benefit from the harm they have caused.

Dated: April 5, 2019

Respectfully submitted,

s/ Thomas C. Plunkett

Thomas C. Plunkett
Attorney No. 260162
Suite 1500
101 East Fifth Street
St. Paul, MN 55101
Phone: (651) 222-4357

s/ Peter B. Wold

Peter B. Wold, ID #118382
Wold Morrison Law
247 Third Avenue South
Minneapolis, MN 55415
Phone: 612-341-2525
Fax: 612-341-0116

Attorneys for Defendant