

State of Minnesota
Hennepin County

District Court
Fourth Judicial District

Court File Number: **27-CR-18-6859**

Case Type: Crim/Traf Mandatory

State of Minnesota,

Plaintiff

vs.

**ORDER ON CONDUCT AT
RESENTENCING**

Mohamed Mohamed Noor,
Defendant

This Court is vested with the serious right and obligation to preserve order and decorum in its courtrooms and to ensure that the parties and victims in a case are treated with respect. Minn. R. Crim. P. 26.03 subd. 3(a); Minn. Gen. R. Prac. 2.02(e). Most importantly, it is the Court's role to safeguard the parties' right to fair and public proceedings and the public's right to access them. In doing so, the Court must ensure that the official record of the proceedings is clear. Minn. Gen. R. Prac. 2.02(f).

The resentencing in this matter is scheduled to begin at 9:00 a.m. on Thursday, October 21, 2021. The sentencing will be held in Courtroom C1059 on the Tenth Floor of the Courts Tower of the Hennepin County Government Center. There will be overflow seating available in Courtroom C1659. Audio and video feed from the sentencing will be played in the overflow courtroom to accommodate those who do not have a seat in the courtroom.

Based on the foregoing, the Court makes the following:

ORDER

No Electronic and Recording Devices

1. Other than those explicitly permitted by the Court's Order Regarding Audio/Video Coverage of Resentencing issued simultaneously with this Order, no electronic or recording devices, audio or visual, shall be permitted in the courtrooms, jury rooms, or common areas on the Tenth Floor of

the Courts Tower of the Hennepin County Government Center before or during the sentencing on the morning of October 21, 2021.

2. The devices prohibited in paragraph one includes, but are not limited to cameras, cell phones, electronic tablets, and laptop computers. *See* Minn. Gen. R. Prac. 2.01(a); Fourth Judicial District Policy B.05.
3. Law enforcement, court security, and court personnel are authorized to search persons to ensure compliance with this Order. Courtroom attendees in 1059 may choose to leave their prohibited devices in the custody of law enforcement at their own risk. Attendees in overflow courtroom 1659 may retain their devices but must leave the courtroom to use them. An electronic and recording device that is possessed or used in a manner not in compliance with this Order may be seized, and the person involved may be subject to sanctions as provided below. Fourth Judicial District Court Policy B.05(5).
4. The attorneys of record and their paralegals, law enforcement personnel, and judicial staff inside the bar may have electronic devices in the courtrooms powered ON during the sentencing. All such devices shall be kept and operated only in SILENT mode. The use of electronic devices shall be allowed ONLY for the purpose of conducting court business. Any use of cell phones by the attorneys of record or paralegals shall be made outside the courtroom. There shall be no use of electronic or recording devices in the gallery. *See* Fourth Judicial Court Policy B.05(4)(a).

Courtroom Seating

5. The audio and video feed from the sentencing Courtroom 1059 will be played in overflow Courtroom 1659 to accommodate those not seated in Courtroom 1059. *See* Minn. Gen. R. Prac. 4.02(a) (permitting the Court to “authorize the use of electronic and photographic means . . . for other purposes of judicial administration”). The visual feed will be live, not recorded, and it will not be part of the official record.

6. Courtroom attendance shall be limited to the seating available in Courtroom 1059 and the overflow Courtroom 1659. Standing room shall not be allowed in any of the courtrooms. Minn. Gen. R. Prac. 2.01(e).
7. In Courtroom 1059, three seats have been reserved for Staff/Counsel for the State, seven seats have been reserved immediate family members of the defendant.
8. In Courtroom 1059 and in the overflow Courtroom 1659, seats have been reserved for the media pursuant to Minnesota Rule of Criminal Procedure 26.03, subdivision 3(b).
9. Six seats have been reserved for the media Courtroom 1059, with one seat per media outlet. One seat has been reserved for a sketch artist in Courtroom 1059. Fourteen seats have been reserved for the use of media outlets in the overflow Courtroom 1659 on a first-come, first-served bases.
10. In Courtroom 1059, nine gallery seats are available for the general public. In overflow Courtroom 1659, fourteen seats are available for the general public. In overflow Courtroom 1659, members of the general public or the media may sit in the jury box or any additional seating if the gallery is full, but not behind the bench or in the spaces traditionally reserved for the clerk, court reporter, or witness.
11. Public seating in Courtroom 1059 and in the overflow Courtroom 1659 will be allocated on a first-come, first-served basis. Members of the public may arrive on the Tenth Floor of the Courts Tower no earlier than 8:00 a.m. on Thursday, October 21, 2021, to line up for admission.
12. After all available seats in Courtroom 1059 and the overflow Courtroom 1659 are filled and court is in session, no one except law enforcement personnel, county security, and court personnel will be authorized to remain in the courtroom hallway on the Tenth Floor.
13. Public walkways, doorways, stairwells, and elevator banks within the Government Center must be kept unobstructed, and the noise level in areas where courtrooms are located must be kept at a minimum, so that court business may be conducted.

Courtroom Conduct

14. When court is in session, there shall be no talking, loud whispering, or other distracting activity in the gallery of Courtroom 1059 or overflow Courtroom 1659. Minn. Gen. R. Prac. 2.01(a).
15. Courtroom 1059 and overflow Courtroom 1659 attendees shall not express their opinions, verbally or nonverbally, in response to a statement of a party or victim, argument of counsel, or ruling of the Court.
16. No food, beverages, or gum chewing is allowed in Courtroom 1059 or overflow Courtroom 1659.
17. Courtroom 1059 and overflow Courtroom 1659 attendees shall not wear, carry, or otherwise display material that refers to the decedent, the victims, the parties, the attorneys, the witnesses, or the jurors in this matter.
18. Courtroom 1059 attendees must be seated at all times while in court is in session.
19. Entry and exit from Courtroom 1059 may be made only while court is in recess.
20. No members of the media are to request assistance from judicial staff.

Victim Impact Statements

21. Victim impact statements from citizens of Australia are approved to be given via Zoom technology. Any other requests to present witnesses via Zoom must be made to the Court in advance of October 21, 2021. The requests must be made in writing and must include why the individual cannot appear in person.

General Provisions and Enforcement

22. A violation of this Order may result in sanctions, including but not limited to the confiscation of property, removal from the courtroom or the Government Center, and/or arrest for contempt of court.

23. The Hennepin County Sheriff's Office and county security are authorized to enforce the provisions of this Order.
24. The provisions of this Order shall apply to the resentencing in this matter scheduled for October 21, 2021 and are subject to further order of this Court.
25. Copies of this Order shall be made available outside the courtrooms referenced herein and on the case webpage.

BY THE COURT:

Date:

Kathryn L. Quaintance
Judge, Fourth Judicial District