27-CR-20-12646

Filed in District Court State of Minnesota 2/12/2021 3:43 PM

### STATE OF MINNESOTA

# COUNTY OF HENNEPIN

State of Minnesota,

Plaintiff,

vs.

Derek Michael Chauvin,

Defendant.

To: Clerk of Appellate Courts 305 Minnesota Judicial Center 25 Dr. Martin Luther King Blvd. St. Paul, MN 55155-6102

> Clerk of District Court C-1251 Government Center 300 South Sixth Street Minneapolis, MN 55487

Cathryn Middlebrook Chief Appellate Public Defender 540 Fairview Avenue North Ste. 300 St. Paul, MN 55104 Eric J. Nelson Attorney License No. 308808 7900 Xerxes Avenue S., Ste. 1700 Bloomington, MN 55431 *Attorney for Defendant Chauvin* 

Judge Peter Cahill Judge of District Court C-641 Government Center 300 South Sixth Street Minneapolis, MN 55487

# DISTRICT COURT

#### FOURTH JUDICIAL DISTRICT

NOTICE OF APPEAL BY THE PROSECUTING ATTORNEY TO THE COURT OF APPEALS FROM DISTRICT COURT ORDER DENYING STATE'S MOTION TO REINSTATE OR ADD THIRD-DEGREE MURDER CHARGE

Court File No.: 27-CR-20-12646

PLEASE TAKE NOTICE that the prosecuting attorney in the above-entitled cases hereby appeals to the Court of Appeals of the State of Minnesota from a written order, dated February 11, 2021, by the Honorable Peter Cahill, Judge of Hennepin County District Court, denying the State's motion to reinstate or add the charge of Murder in the Third

Degree against the Defendant.

The Statement of the Case is attached.

DATED: February 12, 2021

KEITH ELLISON Attorney General State of Minnesota

/s/ Matthew Frank

By: MATTHEW FRANK Assistant Attorney General Atty. Reg. No. 021940X 445 Minnesota Street, Suite 1400 St. Paul, Minnesota 55101-2131 (651) 757-1448 (Voice) (651) 297-4348 (Fax) matthew.frank@ag.state.mn.us

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# ATTORNEYS FOR PLAINTIFF