

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Court File No.: 27-CR-20-12953

Plaintiff,

vs.

**NOTICE OF ADDITIONAL
EVIDENCE**

J. Alexander Kueng,

Defendant.

TO: The State of Minnesota, the Prosecuting Attorneys in the above-entitled case.

PLEASE TAKE NOTICE that Mr. Kueng, the defendant herein, may offer at trial evidence of and the circumstance of the following:

1. The facts and circumstances of MP 2019-127538 from May 6, 2019. At that time Mr. George Floyd was engaged in the sale and possession of large quantities of controlled substances. When approached by police he placed drugs in his mouth in an attempt to avoid arrest, and swallowed them. When interacting with police he engaged in diversionary behavior such as crying and acted irrationally. An ambulance was called to transport Mr. Floyd to the hospital.
2. The facts and circumstances of Mr. Floyd's May 6, 2019 medical intervention at Hennepin County Medical Center for "accidental drug ingestion." At which time Mr. Floyd disclosed that he "snorts oxycodone daily", was hypertensive and not taking medications, took street drugs prior to admission (PTA) and while under arrest was tearful – because he was accused of selling drugs by the police and has been abusing opiates for the last year and a half.
3. The facts and circumstance of Harris County Texas case number 1143230 from August 9, 2007. At that time Mr. George Floyd, under the pretenses of being with the water department and thoughtfully disguised by wearing a blue uniform, forcibly entered a home to steal drugs and money. In the course of the robbery Mr. Floyd placed a gun on a woman's abdomen, allowed her to

be pistol whipped by an accomplice and demanded drugs and money. For these brazen acts Mr. Floyd was convicted of Aggravated Robbery with a Deadly Weapon.

The defense seeks admission based on the Rules of Criminal Procedure, the Rules of Evidence, and the Minnesota Constitution, specifically Minn. R. Evid. 404(a) and (b)(1)(2). To the extent that 404 (b) is applicable, the defense offers these matters to show proof of motive, intent, plan, knowledge and/or absence of mistake or accident. The files, documents and reports documenting these incidents are in the possession of the state.

Respectfully submitted,

Date: August 27, 2020

/s/ **Thomas C. Plunkett**

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