

HOW TO FILE A MOTION TO WITHDRAW A PLEA OF GUILTY¹ TO A CITATION ~MINNEAPOLIS~/~ST ANTHONY~/~THREE RIVERS PARK CITATIONS~

THIS MOTION PACKET IS TO BE USED ONLY FOR CITATIONS THAT ORIGINATED IN VIBES

Instructions:

1. Obtain a court date and a copy of the citation at any of the following locations:

Hennepin County Government Center 300 S. 6 th Street Public Service Level Minneapolis MN 55487-0014	Brookdale Courthouse 6125 Shingle Creek Pkwy Suite 200 Brooklyn Center MN 55430	Ridgedale Courthouse 12601 Ridgedale Dr. Suite 300, 3 rd Floor Minnetonka MN 55305	Southdale Courthouse 7009 York Ave S. Suite 214, 2 nd Floor Edina MN 55435
---	--	--	--

- Hearings for Minneapolis citations are set on the Minneapolis Motion calendars, heard Tuesdays, Wednesdays, and Thursdays, at 11:00 a.m
 - Hearings for St. Anthony citations are set on the St Anthony calendar at 1:30 p.m. on the first and third Thursdays of each month @ HCGC
 - Hearings for Three Rivers Park citations are set on the County Attorney Calendar (COAT) at 1:30 p.m. the fourth Thursday of the month @ HCGC
2. Fill out the attached Notice of Motion and Motion to Withdraw a Plea of Guilty and sign and date it.
 3. Make two copies of the completed Notice of Motion and Motion paperwork. One copy is for you and the other copy must be served upon the prosecutor.
 4. Have a third party (**NOT YOU**) who is 18 years or older, mail a copy of the papers to the other party. They can be mailed on any day EXCEPT a legal holiday. Court Rules require FIRST CLASS MAIL only, not certified or registered mail. The person who mailed the papers to the other party must then complete an Affidavit of Service by Mail.
 - DO NOT have the person fill out the Affidavit of Service by Mail until AFTER they have mailed a copy of the papers to the other party.
 - DO NOT have the person sign the Affidavit of Service by Mail until they are in the presence of a Notary Public or a Deputy Court Administrator.

Minneapolis citations	St. Anthony citations	Three Rivers Park citations
Minneapolis City Attorney City Hall, Room 210 350 South 5th Street Minneapolis, MN 55415	Steven Carlson St. Anthony Prosecutor Foster, Ojile, Wentzell & Brever, LLC 2855 Anthony Lane South, #201 St. Anthony, MN 55418	Office of the Hennepin County Attorney 300 South Sixth Street Floor C-2200 Suite C2168 Minneapolis MN 55487

5. File the **original** Notice of Motion and Motion paperwork, and the **original** Affidavit of Service at any of the locations listed in step #1.
6. **NOTE:** your case **will not** be placed on the Court's calendar until you **file** the original documents which must be done at least seven (7) days prior to the court date.

¹ This statutory notice was provided at the time of your citation: Minnesota Statute §169.91, subd. 3, provides in part, that failure to appear for a petty misdemeanor will be considered a plea of guilty and a waiver of the right to trial.

State of Minnesota

County of Hennepin

District Court

Judicial District: Fourth

Court File Number: _____

Case Type: Criminal

Defendant

**NOTICE OF MOTION AND
MOTION TO WITHDRAW A
PLEA OF GUILTY TO A CITATION**

Minneapolis St. Anthony Three Rivers Park

Section 1

Name:	Date of Birth:
Address:	Driver's License Number:
	Phone Number:

Section 2.

The citation number is: _____ and a copy of the paid citation is attached.

Section 3

I should be allowed to withdraw my plea of guilty entered on _____ for the following reason(s):

Section 4

The court hearing is set for _____, 20____, at _____ A.M./P.M., at the following location:

Date: _____

Signature

Printed name

State of Minnesota

County of Hennepin

District Court

Judicial District: Fourth

Court File Number: _____

Case Type: Criminal

Affidavit of Service

STATE OF MINNESOTA)

COUNTY OF _____)
(County where Affidavit Signed)

I, _____ being duly sworn upon oath, state that I am at
(Name of person who mailed the documents)

least 18 years of age; that on ____/____/____ I served the attached documents (**Copy of
Notice of Motion and Motion**) by mailing a true and correct copy to the following party at the
following address by placing the documents in the U.S. mail in the City of _____ with
sufficient postage:

(Check one)

<input type="checkbox"/> Minneapolis City Attorney City Hall, Room 210 350 South 5th Street Minneapolis, MN 55415	<input type="checkbox"/> Steven Carlson St. Anthony Prosecutor Foster, Ojile, Wentzell & Brever, LLC 2855 Anthony Lane South, #201 St. Anthony, MN 55418	<input type="checkbox"/> Office of the Hennepin County Attorney 300 South Sixth Street Floor C-2200 Suite C2168 Minneapolis MN 55487
--	---	---

Dated: _____

Signature

(Sign only in front of Notary Public or Deputy Court
Administrator.)

Sworn/affirmed before me this
_____ day of _____.

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Notary Public \ Deputy Court Administrator