

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

DEFENDANT'S
OBJECTION TO
STATE'S PROPOSED
JURY QUESTIONS AND
INTENT TO SEEK AN
AGGRAVATED
SENTENCE.

PLAINTIFF,

V.

TOU THAO,

DEFENDANT.

COURT FILE NO. 27-CR-20-12949

TO: THE HONORABLE PETER A. CAHILL, JUDGE OF DISTRICT COURT, AND
MR. MATTHEW G. FRANK, ASSISTANT ATTORNEY GENERAL

Tou Thao ("Mr. Thao" hereinafter) opposes the State's Notice of Intent to Seek an Upward Sentencing Departure filed on August 28, 2020 and the State's Proposed Jury Interrogatories for Aggravating Factors filed on October 12, 2020.

Mr. Thao specifically objects to the State's intent to use the factors of "particularly vulnerable" and "position of authority" as factors in the case of *State v. Thao* to seek an aggravated sentence.

Mr. Thao objects to the State's Proposed Jury Interrogatories for Aggravating Factors on the basis that many of the questions are redundant or are not relevant to the factors listed in Minn. Stat. § 244.10 subd. 5a.

Mr. Thao requests that he can be heard on these issues only after this Court has determined whether Mr. Thao will have a unitary or bifurcated sentencing jury.

Dated: This 13th day of November, 2020

/s/ Robert M. Paule
Robert M. Paule (#203877)
Robert M. Paule, P.A.
920 Second Avenue South, Suite 975
Minneapolis, MN 55402
T: (612) 332-1733
F: (612) 332-9951

Natalie R. Paule (#0401590)
Paule Law P.L.L.C.
5100 West 36th Street
P.O. Box 16589
Minneapolis, MN 55416
nrp@paulelaw.com