

STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

COURT FILE NO. _____

Petitioner,
vs.
Dakota County Receiving Center, Inc.,
Relator.

**ORDER DISCHARGING PETITIONER
FROM THE CUSTODY OF THE DIRECTOR
OF THE DAKOTA COUNTY
RECEIVING CENTER**

The above-entitled matter came on for hearing by telephone conference before the undersigned Judge of District Court at _____ a.m./p.m. on _____ in the City of _____, County of Dakota, State of Minnesota, on the application of Petitioner for a Writ of Habeas Corpus and the answer of Relator. _____, Esq. appeared on behalf of the Petitioner. Relator appeared *pro se*. The hearing was conducted by telephone; the Dakota County Receiving Center, Inc. at 651-437-4209.

Based upon the proceedings herein, the evidence received after the Court contacted the Dakota County Receiving Center personnel, the _____ Police Department, and the representation of _____, Esq., that nobody including Petitioner or Petitioner's family will be harmed by Petitioner's release from the custody of Relator, the Court makes the following:

FINDINGS OF FACT

1. Petitioner is restrained of his/her liberty by the Dakota County Receiving Center and has been so restrained since _____ having been determined by the _____ Police Department to be (driving a motor vehicle while) under the influence of drugs or alcohol and without a responsible adult to provide the Petitioner's care during the morning/evening of _____.
2. Petitioner's physical condition has been monitored by the staff at the Dakota County Receiving Center, and based upon that evaluation, the Dakota County Receiving Center does not plan to have Petitioner submit to a complete physical examination by a licensed physician within forty-eight (48) hours of his/her admission to the Receiving Center unless his/her vital signs do not stabilize. Petitioner's medical condition has now stabilized and Petitioner is no longer intoxicated.
3. Petitioner's continued detention at the Dakota County Receiving Center is no longer required.
4. _____, Esq. has assured the Court that he/she will pick up Petitioner at the Receiving Center if Petitioner is released from the Receiving Center and transport Petitioner to his/her residence.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Director of the Dakota County Receiving Center shall discharge and release Petitioner from its custody subject to the following conditions:

1. The Director of the Dakota County Receiving Center shall immediately discharge and release Petitioner to the custody of his/her attorney, _____, Esq.
2. Petitioner must arrange to submit to a chemical assessment evaluation within sixty (60) days and complete any recommendations for treatment made as a result of that evaluation as required by Rule 9530.4370 of the Minnesota Department of Human Services.
3. Petitioner shall not commit any alcohol related offenses.
4. Within 5 days of the date of this Order, Petitioner shall file his/her Petition and pay the civil case filing fee herein to the Dakota County Court Administrator.
5. Petitioner shall make all court ordered appearances for any charges arising out of the incident on _____.
6. Notwithstanding the hold placed upon the Petitioner by the Dakota County Sheriff, Petitioner may be released to _____, Esq., so long as Petitioner promises to be booked on or before his/her first court appearance.
7. This Order does not impact any decision as to whether bail has been Ordered or posted. If a criminal hold is on Petitioner, that hold is not impacted by this Order, and any bail that has been ordered must be paid prior to Petitioner’s release.
8. A copy of this Order shall be faxed to the Dakota County Receiving Center at 651-437-6161.

Dated: _____

BY THE COURT

Judge of District Court

cc: Dakota County Court Administrator