

Honorable Judge John R. Tunheim
United States District Court
300 South Fourth Street
Minneapolis, MN 55415

August 23, 2024

Re: Response to Defendants' Letter Regarding August 7 Motion
Case No: 24-CV-2646 (JRT/DLM)

Dear Judge Tunheim,

I write in response to the defendants August 16, 2024, letter, which attempts to reframe my "Motion for Expedited Preliminary Injunction" as a motion for reconsideration. This maneuver appears to be a deliberate mischaracterization, seemingly aimed at avoiding the substantive issues my motion raises.

Perhaps the defendants should reconsider their legal strategy, especially when a simple Ctrl+F search of my July 8, 2024, 'Motion for Temporary Restraining Order and Immediate Hearing' (*Exhibit R*) reveals the complete absence of the term "preliminary injunction." My motion was explicitly for a Temporary Restraining Order and an immediate hearing, and nothing else.

Similarly, a Ctrl+F search of my August 7, 2024, motion shows the word 'reconsider' used only once, in a specific request that the state court reconsider charges against me based on newly presented evidence. Labeling this as a 'Motion for Reconsideration' is not only a blatant misrepresentation but also a transparent attempt to manipulate the Court's perception to avoid addressing the core issues at hand.

Notably, the defendants letter acknowledges my pro se status in this higher Court, where I am apparently competent enough to require them to allocate substantial resources and engage multiple attorneys. Yet, these same defendants continue to perpetuate the narrative of my supposed incompetence in the lower Hennepin County District Court. One might suggest they reconsider the optics of arguing incompetence in a lower court while simultaneously confronting a pro se plaintiff competently navigating multiple higher courts.

In closing, perhaps the defendants should reconsider placing the scales of justice atop a document designed to sidestep those very principles.

Sincerely,

/s/ Matthew D. Guertin

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cc: Counsel of record (via e-service), except
Bruce Rivers, who will be served separately
by USPS due to his failure to respond