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State of Minnesota
5/14/2024 10:24 AM

A24-0780
STATE OF MINNESOTA
IN COURT OF APPEALS

State of Minnesota,

Respondent,

vs.

Matthew David Guertin,

Petitioner.

District Court Case: 27-CR-23-1886

Court Order Date: April 12, 2024

PETITIONER'S MOTION FOR PUBLIC ACCESS TO APPELLATE FILINGS

TO: THE COURT OF APPEALS OF THE STATE OF MINNESOTA

INTRODUCTION

I, Matthew David Guertin, the petitioner in the above-captioned case, respectfully submit this motion for public access to appellate filings. This motion arises from a need to ensure transparency, uphold public trust in the judicial process, and affirm the principles of open access that are fundamental to our legal system.

This case, recently accepted by the court on May 10, 2024, involves significant, profound, and unprecedented allegations that have considerable implications for justice and public interest. The filings, however, are not currently available for public viewing, and no order or justification has been provided by the court to explain this restriction.

As the appellant, I have previously chosen to waive any right to confidentiality regarding medical records and examination reports involved in both my criminal and civil

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commitment cases, incorporating these documents into the public record of my criminal proceedings. This decision was strategically made to foster full transparency, allowing public access to all pertinent information that substantiates the substantial allegations made in my petition for discretionary review.

The absence of public access to the appellate filings in this case is concerning, given the lack of a court order or clear justification for such an omission. The profound nature of the allegations and the public's right to access judicial proceedings underscore the necessity for these records to be made available to ensure an open court process.

Through this motion, I aim to rectify the current lack of transparency and request the court's intervention to make all relevant appellate filings publicly accessible, in line with Minnesota's legal standards and the overarching need for public oversight in significant judicial matters.

ARGUMENTS FOR PUBLIC ACCESS

The petitioner, Matthew David Guertin, presents compelling arguments for why the appellate proceedings and all associated filings in case number A24-0780 should be accessible to the public. These arguments are founded on the substantial and profound issues outlined in the petition for discretionary review, including the notable 'competency paradox' which presents a unique challenge within the judicial system.

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Judicial Misconduct and Procedural Errors:

The petition details extensive judicial misconduct, procedural errors, and manipulation of evidence that have compromised the integrity of the legal proceedings. These errors are not only procedural in nature but strike at the core of judicial integrity and the fundamental principles of justice that underpin our legal system. The public's ability to access these filings is crucial for scrutinizing the actions and decisions made in lower courts, thereby upholding the accountability and transparency expected in our judicial system.

Egregious Handling of the Case:

The allegations in the petition highlight egregious handling of the case by the judicial system, including the alteration of discovery materials and the failure of the courts to address critical motions raised pro se by the petitioner. This type of misconduct, if proven true, undermines public trust in the judicial system and necessitates public oversight and transparency to restore confidence.

Waiver of Confidentiality:

The petitioner has made a calculated and strategic decision to waive confidentiality regarding all medical records and examination reports involved in his case, incorporating them into the public record of his criminal proceedings. This waiver underscores a commitment to transparency and an explicit request that all aspects of his case be open to public scrutiny.

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The 'Competency Paradox':

The circumstances surrounding the petitioner, Matthew David Guertin, present a particularly troubling scenario termed the 'competency paradox'. This paradox underlines a significant contradiction within the judicial system that merits public scrutiny. Despite being officially deemed incompetent to stand trial under *Minn. R. Crim. P. 20.01*, which states a defendant cannot rationally consult with counsel or understand the proceedings due to mental illness or cognitive impairment, Mr. Guertin has been navigating the complex legal landscape of filing and managing his own petition for discretionary review.

This peculiar situation wherein the petitioner retains defense counsel who has largely failed to provide effective representation, compelling Mr. Guertin to take on the role of his own defense attorney, challenges the very ruling of incompetence. Despite this lack of adequate legal support, he proceeds pro se in a competent and articulate manner. This discrepancy raises profound questions about the integrity and consistency of competency evaluations in the judicial process. It also casts doubt on the appropriateness of the court's decision to deny him the right to represent himself, as documented in the proceedings from April 12, 2024, which explicitly mentions his denied motion to represent himself pro se due to declared incompetence.

The 'competency paradox' herein, is not merely a legal anomaly but a critical issue that affects the fairness and transparency of the judicial process. Allowing public

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access to the appellate proceedings would enable oversight and a deeper understanding of how such contradictions are handled within our courts. This would not only ensure that Mr. Guertin's rights are protected but also enhance the public's trust in the legal system to fairly and consistently apply its own standards. Such transparency is essential for upholding the principles of justice and accountability that are foundational to our legal system.

Given the gravity and implications of this paradox, it is imperative that the appellate proceedings be open to public scrutiny to ensure that all procedural and substantive decisions are made transparently and justly. This additional layer of public oversight is crucial to prevent potential injustices arising from such paradoxes within the legal system.

Public Interest and Right to Know:

The unprecedented nature of the claims - encompassing alleged judicial complicity in the manipulation of evidence and the profound impact on the petitioner's legal and constitutional rights - constitutes a significant public interest. Transparency in these proceedings would not only serve the interest of the petitioner but also the broader public interest in ensuring that justice is administered fairly and openly.

Legal and Ethical Concerns:

The petitioner's motion stresses the need for the appellate court to intervene decisively to rectify the grave injustices alleged. Allowing public access to the

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appellate filings would enable the community, legal professionals, and civil rights advocates to assess the merits of the case and the validity of the judicial processes applied, promoting an informed public discourse about the efficacy and integrity of our judicial system.

The profound nature of these issues and their broader implications for the judicial system underscore the critical necessity for making these records publicly accessible. Keeping such filings out of the public view not only contradicts the principles of an open judicial system but also deprives the public of the opportunity to engage with and understand significant legal proceedings that may affect public perceptions of the judiciary.

By making these proceedings public, the appellate court would affirm its commitment to transparency, accountability, and the restoration of public confidence in the legal system. It would also set a precedent for handling similar cases in the future, where the actions of the judiciary are called into question, and public oversight becomes essential to maintain judicial integrity.

LEGAL BASIS FOR MOTION

The legal foundation for demanding public access to the appellate filings in the case of *State of Minnesota, Respondent, vs. Matthew David Guertin, Petitioner* is robust, rooted in both state and federal legal principles that advocate for transparency and accountability within the judiciary.

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Minnesota Rules of Public Access to Records of the Judicial Branch:

These rules generally presume the accessibility of court filings to the public, aligning with the principle that transparency is crucial to the public's trust in the judicial system. Exceptions to this presumption are tightly controlled and clearly delineated, typically reserved for cases involving sensitive information where privacy concerns outweigh the public interest.

Case Law - Minneapolis Star & Tribune v. Schumacher:

This landmark decision by the Minnesota Supreme Court (*392 N.W.2d 197, Minn. 1986*) reinforces the notion that court records should generally be open to the public. The ruling emphasizes that the openness of judicial proceedings promotes transparency and better oversight of the judicial process, enhancing public understanding and confidence in legal outcomes.

Federal and State Case Law Regarding Transparency:

Caperton v. A.T. Massey Coal Co. (*556 U.S. 868, 2009*) underscores the necessity of judicial impartiality and transparency, particularly highlighting the influence of external factors on judicial fairness and integrity.

Sheppard v. Maxwell (*384 U.S. 333, 1966*) establishes the imperative for courts to safeguard the trial process from undue media or external influence to maintain the integrity of the judicial proceedings.

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Waiver of Confidentiality by the Petitioner:

The petitioner has expressly waived the confidentiality of his medical records and related documents by incorporating them into the public record of his criminal proceedings. This act of transparency negates any privacy concerns that might typically warrant sealing these documents from public view.

Public Interest and Right to Know:

Given the substantial nature of the allegations - including judicial misconduct and procedural errors - there is a significant public interest in accessing these court records. The details of these allegations, which include manipulation of evidence and unethical conduct within the judiciary, are critical for public scrutiny and discussion.

Necessity for Judicial Accountability:

Ensuring that these appellate filings are open to public access aligns with the broader societal interest in judicial accountability. Transparency in this case would serve not only to inform the public but also to maintain the integrity of the legal system by subjecting it to public oversight.

The combination of these legal principles and precedents forms a compelling argument for why the appellate filings in this case should be publicly accessible. The petitioner's proactive approach to transparency, coupled with significant public interest

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and the need for judicial accountability, underscores the necessity for these records to be open, fostering a transparent and just legal process.

CONCLUSION

The petition for discretionary review submitted by Matthew David Guertin underlines a series of grave concerns regarding judicial misconduct, procedural errors, and a troubling manipulation of evidence which fundamentally threatens the principles of justice and fairness. These allegations not only question the integrity of the legal process but also highlight the critical importance of transparency in judicial proceedings.

This motion requests that the appellate court provide immediate relief by making all appellate filings in this case publicly accessible. Such transparency is essential not only to ensure my right to a fair trial but also to uphold public confidence in the integrity and accountability of our judicial system.

RELIEF SOUGHT

1 - Order for Public Access:

An order that all current and future filings in case number A24-0780 be made accessible to the public immediately, without restriction, except where further confidentiality is explicitly justified and ordered by this court.

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2 - Judicial Transparency:

A detailed explanation or judicial order clarifying any reasons for previous restrictions on public access to these filings, ensuring that any such future restrictions are narrowly tailored to meet specific and legally justified needs.

3 - Review and Rectification:

Considering the significant issues raised within my petition for discretionary review, a thorough judicial review of the procedural and substantive decisions previously made in lower courts, ensuring that any miscarriage of justice is appropriately addressed and rectified.

4 - Uphold Legal Standards:

Confirm that the handling of this case aligns with the highest standards of justice, particularly emphasizing the need for an open and transparent judicial process as underpinned by Minnesota and United States Supreme Court precedents on public access to court documents.

This motion is respectfully submitted not as a mere procedural formality, but as a necessary step to ensure that the substantial and profound issues raised in my case are addressed with transparency and justice. The community's trust in our judicial system relies heavily on its openness and steadfast adherence to the principles of justice and fairness. Thus, ensuring public access to these proceedings is of paramount importance.

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The documented concerns within my case respectfully underscore a compelling need for an open review to prevent the perpetuation of errors that could potentially undermine public trust in the judiciary. It is with utmost respect that I urge this Court to act decisively to safeguard both my rights as the petitioner and the general public interest in an open and transparent legal process. By making the proceedings and all associated case files accessible to the public, the Court will reinforce its commitment to justice and accountability.

Dated: May 14, 2024

By: /s/ Matthew D Guertin

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