

A24-_____
STATE OF MINNESOTA
IN COURT OF APPEALS

Matthew David Guertin,

District Court Case: 27-CR-23-1886

Petitioner,

Court Order Date: April 12, 2024

vs.

PETITIONER'S ADDENDUM - 5

State of Minnesota,

Respondent.

PETITIONERS ADDENDUM - 5

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MINNESOTA
JUDICIAL
BRANCH

March 10th, 2023 Jill Rogstad's Rule 20 Report - METADATA ANALYSIS

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Matthew David
Guertin 07/17/1981
27-CR-23-1886



Filed in District Court
State of Minnesota
3/10/2023 4:30 PM

PSYCHOLOGICAL SERVICES

300 S. 6th Street, Suite C-509, Minneapolis MN 55487-0351 • (612) 348-3723 • FAX (612) 348-3452

March 10, 2023

**CONFIDENTIAL FORENSIC
EVALUATION REPORT**

....it is reasonable to conclude his mental health could stabilize and his competency-related abilities improve if a proper treatment regimen was implemented. Given his limited insight into the nature of his symptoms, Mr. Guertin would be an appropriate candidate for **referral for civil commitment as a person who poses a risk of harm due to a mental illness.** Commitment as a person who is mentally ill and dangerous to the public could also be considered given the nature of the specific allegations included with the current referral.

Please do not hesitate to contact me if the Court has further questions about this report.

Respectfully submitted,

Jill Rogstad PhD, ABPP, LP

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)

Licensed Psychologist

Board Certified in Forensic Psychology by the American Board of Professional Psychology

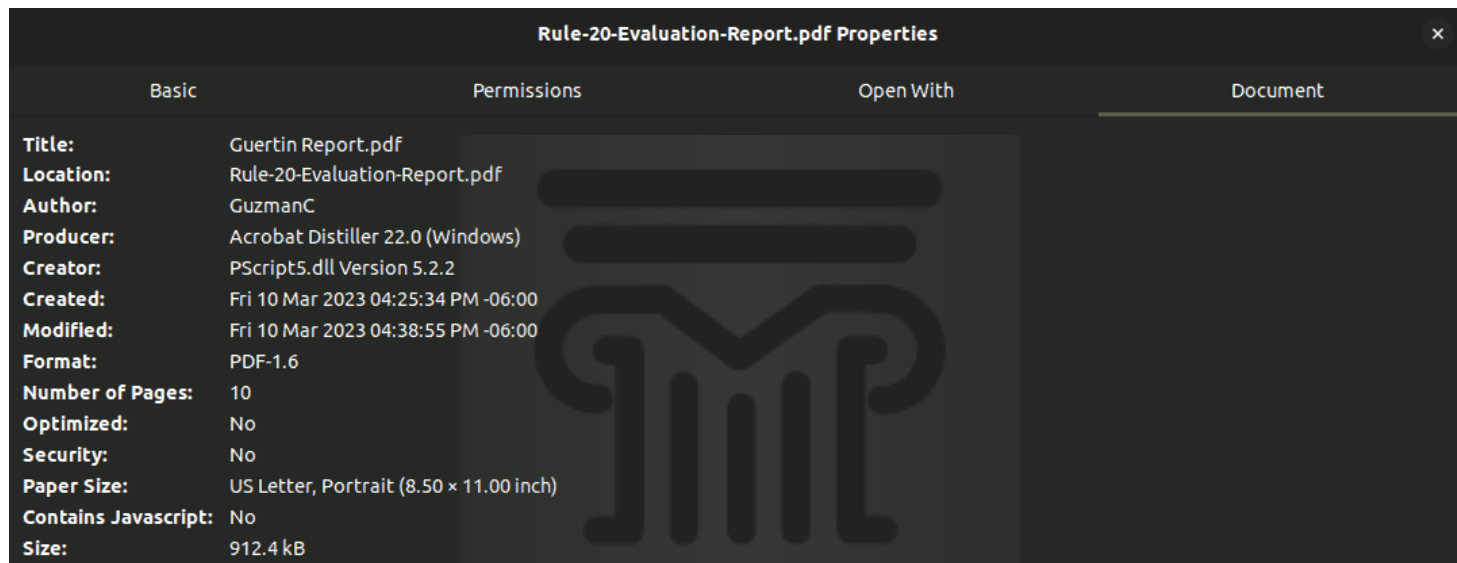
Senior Clinical Forensic Psychologist, Fourth Judicial District

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Page Count                   : 10
  
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March 10th, 2023 Jill Rogstad's Rule 20 Report - METADATA ANALYSIS

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**'Respectfully submitted' by: Dr. Jill Rogstad, Ph.D., LP, ABPP (Forensic)****Author : GuzmanC****Create Date :** 2023:03:10 16:25:34-06:00**Metadata Date :** 2023:03:10 16:38:55-06:00**Producer :** Acrobat Distiller 22.0 (Windows) <~~~Doesn't include the E-File 'iText' metadata**Title :** Guertin Report.pdf**Creator : GuzmanC****Chela Guzman-Wiegert**

Assistant County Administrator – Law, Safety, and Justice

The assistant county administrator of Law, Safety and Justice is responsible for advising the county board and county administrator on policies and issues related to and involving the Hennepin County justice partners. This position oversees the strategic and fiscal management of the Adult Representation Services, Community Corrections, and Law, Safety and **Justice Information Technology** areas. The assistant county administrator also serves as county administration's liaison to the Fourth Judicial District Court, the County Attorney's Office, the Public Defender's Office, and the Sheriff's Office.

<https://www.hennepin.us/your-government/leadership/county-administrator>
Committee Members | Hennepin County Criminal Justice Coordinating Committee

Jacob Frey - Minneapolis Mayor

Brian O'Hara - Minneapolis Police Chief

Chela Guzman-Wiegert - Assistant County AdministratorKerry Meyer - 4th Judicial District Court Chief JudgeSara Gonsalves - 4th Judicial District Court Administrator

Dawanna Witt - Hennepin County Sheriff

Jason Nelson - Hennepin Police Chiefs Association

<https://www.hennepin.us/your-government/leadership/county-administrator>

Please forward me psych evaluation report

From matt xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx >

To Bruce Rivers<riverslawyers@aol.com>

Date Saturday, March 24th, 2023 at 8:22 PM

Bruce,

Just reminding you about sending me the competency report

Sent from ProtonMail mobile

(No Subject)

From Bruce Rivers <riverslawyers@gmail.com>

To Matt xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx >

Date Saturday, March 25th, 2023 at 6:35 AM

Sent from my iPhone

891.06 KB 1 file attached

Rule 20 Evaluation Report.pdf 891.06 KB

EMAIL HEADER DATA OF EMAIL SENT TO DEFENDANT BY BRUCE RIVERS WHICH CONTAINED DR. JILL ROGSTAD'S FORENSIC EXAM REPORT DATED MARCH 10, 2023

Return-Path: <riverslawyers@gmail.com>
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 Delivered-To: MattGuertin@protonmail.com
 Authentication-Results: mailin038.protonmail.ch; dkim=pass (Good 2048 bit rsa-sha256 signature) header.d=gmail.com header.a=rsa-sha256
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 X-Pm-Spam-Action: inbox
 Subject: (No Subject)

Matthew David Guertin / Preliminary Introduction and discussion of facts

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us

BCC Bruce Rivers<riverslawyers@aol.com>

Date Monday, February 13th, 2023 at 4:59 PM

The yellow highlighted link 'what I have been up to over the past 15 years' was a link to my portfolio website – www.MattGuertin.com

Jill,

It was nice to speak with you on the phone the other day and I am looking forward to our meeting on March 1st.

In what I am sure will be one of many follow-up emails leading up to our meeting I would like to provide you with [an initial, short introduction to myself and what I have been up to over the past 15 years](#) as well as a little bit of information about what I currently have taking place in my life in regards to [my patent application](#) - the one I filed on March 19th, 2021 and which will officially no longer be an 'application' beginning tomorrow (v-day) as that is when it [officially grants](#) - tomorrow is also when my patent will be filed as prior art against [this patent here](#) which was invented by [Stephan Trojansky](#) and first filed on March 31, 2021.....12 days later than my application.

It's not an exaggeration to say that the situation I have currently found myself in is similar to winning the lottery. I have had patent attorneys tell me this statement is an accurate depiction of my situation as well as I essentially invalidated ('shredded'...made worthless..) not only the most critical parts of the Trojansky application but many of the additional elements included in his application as well. Not only did I cover the core element of the rotating treadmill with the very broad claims I am being granted tomorrow but I also mention in my disclosure a multi-camera photogrammetry rig, emerging photogrammetry technology (which will be able to cover ['neural radiance fields'](#) or 'nerf' which is what I believe Netflix is working on currently, I mention the creation of a 'digital twin', I mention the user wearing sensors, I specifically mention a 'user cue system' multiple times, and on and on and on.....once my patent gets handed in as prior art against the Trojansky application (which moving forward I will simply refer to as 'The Netflix patent' as that is [who acquired Trojansky's company](#) 'Scanline VFX' for at least 100 million dollars 8 months after he filed his provisional application based on press releases as well as [Q1 2022 Netflix, Inc. Investors report](#) - page 5) it means that they will NEED my patent if they want to be made whole and be able to obtain Intellectual property rights for that which so far they have easily invested a quarter billion dollars into but more likely it is much closer to a half billion dollars.

It is currently my intention to take advantage of the unique situation I am in and outright sell my entire company, [InfiniSet, Inc.](#) (a [Delaware c-corp](#) which I am the CEO of and which is also the company my patent is assigned to upon its issuance tomorrow), collect my money, and exit stage right. That is especially my intention after all of the crazy shit that has been going on ever since I discovered the Netflix patent - which I only stumbled upon after searching for [PhotoRobot](#) to see if they had any patents granted for their ['Virtual Catwalk'](#) which is the product they have been pouring a massive amount of money, time, and effort into fraudulently positioning against my patent - It is when I was [sent an email response](#) by the CEO of [Mark Roberts Motion Control](#), [Assaff Rawner](#) the first week of November that all of this began.....and by 'all of this' I do in fact mean 'ALL OF IT' which would include not only

stumbling upon the Netflix patent (which is so technically written that I had to read it seven times before I realized it was the exact same thing as my patent application) by sheer luck but also my trip down the ultimate rabbit hole as I completely diverted my attention to focus on investigating that which I had the most to lose if I had chosen not to investigate it as it was and still is very obvious that whatever was/is going on is solely for the purpose for trying to fraudulently steal something I have dedicated the last two years of my life bringing to fruition. At the very least they are setting themselves up to be able to steal my patent by being able to build and use it without being found guilty of infringement [by creating a false history](#) that would lead one to believe that they have always been heading in a specific and 'obvious' direction which was only established after I shared my patent application with Mark Roberts Motion Control in an email. This 'false history' includes my discovery that the Wayback Machine / Internet Archive was being fraudulently edited with backdated copies of recently created pages, and ultimately I ended up realizing that it involves [multiple websites](#) and was obviously being accomplished [using chatGPT and/or other sophisticated AI tools](#) (I even go through the fraudulent AI written pages at the end of that video - apparently one of the authors - Samantha McDonald - was able to write at least 2500 articles which were all dated in the same time range near the end of 2020 as you can clearly see in the video.....hint.....those people in the fake Zoom call are also fake - as in completely generated by AI which would include their vocals as well as the subject matter they are discussing...just pay close attention...especially to the repeated use of 'experience' and 'experiential' over and over and over...I will get more into how we logically end up at footwear in follow up emails though) that the general public have been lead to believe do not currently exist. At the very worst what I was investigating and documenting could lead to my patent being challenged and possibly invalidated - which is why it has now turned out to be the 100% correct move on my part to choose to investigate and collect as much evidence as I did. I have close to 100gb of digital forensic evidence I collected in the form of [downloaded full web pages from the archive](#) among others in which I was ultimately [able to process and make sense of to the point of being able to lay all of it out in very clear and easy to understand spreadsheets](#) which proved that the internet archive was 100% in fact being fraudulently edited just based on the statistical/mathematical probability of having the same pattern occur over and over for each group of archived pages I collected (I went on a manual collection run where I downloaded every single archived webpage for 61 of the 89 total blog pages archived for PhotoRobot dot com) and I was able to clearly identify an anomalous pattern that points to clear fraud by copying recently published pages and pasting them into the past. I then was able to further support this when I discovered a code that allowed me to download every single page ever archived for PhotoRobot dot com in which I discovered that there were a bunch of [WARC files being served](#) which relate specifically to updating duplicate pages (although I will admit I still do not fully understand the general protocol - I do know that it can be considered a 'container file' though - much the same way a .zip file is and it's purpose has to do specifically with updating duplicate pages in an easy to implement 'file dump' of sorts. It was when I was finally able to prove beyond any reasonable doubt that there was in fact fraud taking place that I began trying to alert authorities to what i had discovered. I'm not sure if you are fully aware of exactly 'what' the internet archive is but all you have to know is that it is considered a legit form of court admissible evidence - at least I know it is for the USPTO as it has been cited numerous times in cases - so just the fact that I had been able to collect and establish this proof of fraud at the internet archive by itself is a very big deal and one which I believed put my safety at risk as if this information were to become public it would mean that any cases which involved or heavily relied upon information from the Internet Archive (a non-profit 501c3..) would be able to be re-opened and reexamined which could have massive ramifications involving an untold (but I am sure very large..) amount of money. It is my opinion that there is a system in place at the archive to commit the fraudulent editing I have been able to prove and that this has almost certainly been carried out before.

As you have probably ascertained by now I am not your average client and I have a very unique set of circumstances surrounding the criminal charges responsible for bringing us together. It is my personal opinion based on your profession and education that I am being required to sit down with you so that you can 'classify' me as something...meaning that your ultimate goal I believe is to place some sort of universally understood label on me for the purpose of blaming some sort of mental 'disability' or defect upon me which could then be used to explain the incident that happened at my apartment by blaming it solely on me instead of actually considering the crazy and insane set of circumstances which lead up to the extreme decision of me firing a gun off to essentially 'call the police' as seeming completely logical considering the situation I had suddenly found myself in. To be clear I am not in any way trying to minimize the illegal and obviously 'extreme' nature of what I did nor am I trying to make any assumptions or disrespect you/ your education /career /etc. That is definitely not how I would want to come across before even having a chance to meet you in person - I am simply trying to be very clear and upfront with you about what my current thoughts are in general surrounding everything. Basically these are my personal thoughts and opinions and should be considered only that and nothing more.

I will get into more of this in follow up emails as I mentioned previously as it is quite a bit to unpack - even for me who was/is the one caught in the middle of all of it. It is definitely something that will need to be introduced and documented in multiple parts as I could spend a couple days trying to write all of it down chronologically and lay everything out - which I assure you is what I am ultimately going to accomplish and which will make the actions I took at my apartment seem logical or at the very least it will become very clear to everyone (including perhaps a jury of my peers..) that I was put under so much stress that it would make sense that I could've 'cracked' and basically been launched into a fight or flight state where I was genuinely in fear for my life and my safety as everything involving the AI aspect of the 'operation' being carried out against me as well as many strange coincidences all became dots which I was connecting in my head at a faster and faster pace as everything became crystal clear to me - all of which lead to a bad ending for me as far as I was concerned.

I will leave you with a simple question to ask yourself - "What on earth would cause someone who has been traveling the world and accomplishing some of the most amazing technological, engineering, and programming feats since 2014 after essentially traveling to LA with his entire life in a trailer behind him and who now has now moved back home after covid only to continue accomplishing projects which have gained him a massive amount of attention, including winning awards for my 3D photogrammetry Chicago scan, and who then somehow was able to top all of the projects he worked on in LA and all over the world by inventing, patenting and then proceeding to design, engineer, and fabricate a device and system in his living room which can only be described as a complete paradigm shift in the way movies and film will produced going forward, and which he was/is only days away from being able to record a 'proof of concept' video for just as he is also finally going to officially be granted a patent for to suddenly decide that shooting a gun out of his window to alert police makes logical sense?"

And that is the question.....

BUT - I actually have one more question for you which is much less subjective than the previous one I posed to you - that being the following:

I am assuming the interview I conduct with you will be at the very least audio recorded and I would like to check and make sure that it is not a problem if I also record the audio of our interview when it is conducted?

As I mentioned previously this is not just a criminal matter as far as I am concerned but also one which involves my corporation, my patent, my reputation as a CEO, extremely large sums of money, etc, etc and so it is my intention to be sure that I protect myself and my interests by all means possible which is why it seems logical to me that I would also be able to obtain my own personal audio recording of our meeting as well.

I look forward to my continued correspondence with you leading up to our meeting on the 1st.

Sincerely,

Matt Guertin
Inventor / Founder / CEO
InfiniSet, Inc.
Minneapolis, MN
[REDACTED]

Sent with [Proton Mail](#) secure email.



MINNESOTA
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RE: [EXTERNAL] Matthew David Guertin / Preliminary Introduction and discussion of facts

From jill.rogstad@courts.state.mn.us <Jill.Rogstad@courts.state.mn.us>

To Matt [REDACTED] >

Date Tuesday, February 14th, 2023 at 4:16 PM

Good afternoon, Mr. Guertin:

I appreciate the effort and time you spent constructing your message to me. I want to assure you that this information is definitely relevant, and you will be asked questions and given the chance to discuss these themes during our interview appointment. However, your message suggested that you plan to send more emails like this, and I would respectfully ask that you not. This request is not because I do not want to discuss these matters; rather, I ask that because email is not the best forum in which to have a productive discussion of these issues. You have given me an introduction to some of the matters you referenced on the phone, and I want to emphasize that you will have the opportunity to discuss them during the March 1 interview. However, it is much more conducive to the evaluation process to have these conversations in real time. Please feel free to bring any documentation with you to the appointment. If it would be difficult to bring physical copies of certain things, this is something we can discuss at the appointment to figure out the best way to proceed.

At the March 1 interview appointment, we will discuss many of the points you brought up, including the purpose and parameters of the evaluation, as well as my role in the proceedings. You will also have the opportunity to ask any questions you may have at that time. I do want to take the time to answer one question you mentioned in your message, however, with regard to audio recording. You are NOT permitted to audio record our interview session on March 1. There are a number of reasons for this, which I am happy to discuss with you at the March 1 appointment. Importantly, the Hennepin County District Court also prohibits the use of any recording devices in courtroom areas.

I look forward to speaking with you further on March 1.

Best regards,

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)

Senior Clinical Forensic Psychologist

Re: [EXTERNAL] Matthew David Guertin / Preliminary Introduction and discussion of facts

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us<Jill.Rogstad@courts.state.mn.us>

Date Wednesday, February 14th, 2023 at 9:40 PM

Jill,

Regarding the other methods of being able to share information at the meeting vs. before the meeting in the form of emails:

Would one of those options include an hdmi cable and a monitor?

~Matt

Sent from ProtonMail mobile

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RE: [EXTERNAL] Matthew David Guertin / Preliminary Introduction and discussion of facts

From jill.rogstad@courts.state.mn.us <Jill.Rogstad@courts.state.mn.us>

To Matt [REDACTED] >

Date Wednesday, February 15th, 2023 at 4:40 PM

Good afternoon, Mr. Guertin:

I'm afraid I cannot provide any materials to you. However, if you have a device (e.g., phone, tablet, or laptop), I believe the Government Center has public Wifi you can access. We can discuss further what makes the most sense at the appointment on March 1, but please feel free to bring any of those devices as well as paper documentation.

Best regards,

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)

Senior Clinical Forensic Psychologist

Board Certified in Forensic Psychology, American Board of Professional Psychology

(she/her/hers)

Fourth Judicial District and Regional Psychological Services

Phone: (612) 394-0937

Re: [EXTERNAL] Matthew David Guertin / Preliminary Introduction and discussion of facts

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us<Jill.Rogstad@courts.state.mn.us>

BCC Bruce Rivers<riverslawyers@aol.com>

Date Thursday, February 15th, 2023 at 6:11 PM

Jill,

This sounds good / reasonable. Thank you.

One of the other things then which I am wondering then however is the following - which is essentially the same exact question asked in a variety of ways for clarity's sake:

Will you be audio and video documenting our meeting?

If I bring a laptop / device to share with you that which pertains to the topics you would like to discuss with me will my 'presentation' of digital information also be clearly documented in a way where if our meeting was reviewed at a later date for some reason that whoever is viewing it would be able to see, hear, and clearly identify that which I am sharing with you on said device?

In regards to any audio or video recording of our meeting that you and the county obtain from our meeting is there some kind of standard/ protocol/procedure regarding where that data is archived, who can access it and under what circumstances, etc, etc. What is the normal procedure basically?

I know that you are presented as a 'neutral' or 'objective' opinion for all intents and purposes. Based upon the fact that you are a PHD, have published papers, appear in various case law discussions in addition to the most obvious of them all which would be your current position as a clinical forensic psychologist it is obvious to me that you must be very good at what you do as a lot of people trust your opinion. So with all of that said I believe what would be a more unlikely case is if you didn't have a natural bias which weighs in favor of the state and ultimately the prosecution since that's basically your employer. I'm not talking about corruption or intentional deceit, etc... rather I am just discussing simple human nature as far as most people who are happily employed developing a healthy and natural sense of loyalty to those that employ them even if that that loyalty (bias) is on a subconscious level. To get to the point of my bringing this up what I am wondering then is how exactly does mine and yours relationship defer from that of an ordinary doctor & patient / doctor & client relationship in regards to HIPAA laws...and particularly those that are enforced in MN?

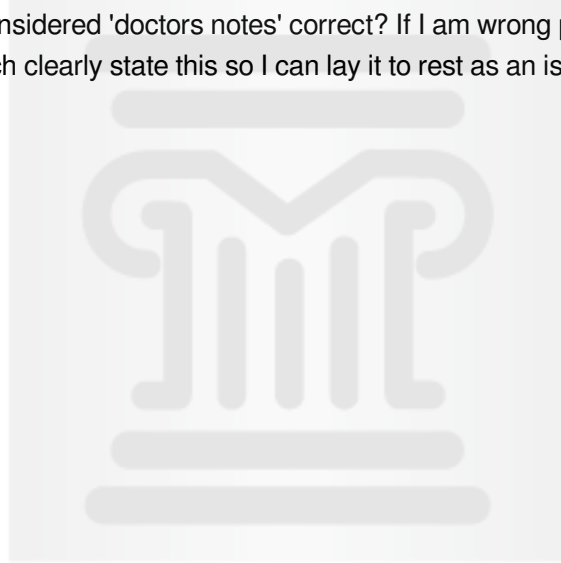
What is any changes/differences are there as opposed to if you were a privately practicing psychologist and I came to your office and said I'd like to pay you your required fee to have you perform a psychological analysis on me for X and Y reasons?

Is the attached PDF that I've read through and took the time to highlight still considered to be 'current' based on your knowledge?

If these HIPAA laws are still current I am assuming that even if I am unable to personally record any audio or video of our meeting on my own that I would still be able to request and obtain the audio and video you record of the meeting as it would ultimately be considered 'doctors notes' correct? If I am wrong please feel free to provide me with the supporting documents which clearly state this so I can lay it to rest as an issue of mine.

Thank you,

Matthew Guertin
Inventor / Founder / CEO
InfiniSet, Inc.
Minneapolis, MN
[REDACTED]



Sent from ProtonMail mobile

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BRANCH

RE: [EXTERNAL] Matthew David Guertin / Preliminary Introduction and discussion of facts

From jill.rogstad@courts.state.mn.us <Jill.Rogstad@courts.state.mn.us>

To Matt [REDACTED] >

Date Friday, February 17th, 2023 at 2:50 PM

Hi Mr. Guertin,

As to your question about recordings, no, Psychological Services does not audio or video record any of the evaluations the psychologists do, nor do we allow examinees to produce any such recordings. Again, there are a number of reasons for this, which I'm happy to review on March 1. The remainder of your questions will also all be addressed at the outset of the interview on March 1, before you are asked any questions. At that time, the parameters of the evaluation will be reviewed and discussed, including my role and the differences between this kind of court-ordered evaluation and encounters you might have with a psychologist in other settings. You will also be given time to ask any questions you have that may not have been covered during this process. I am happy to discuss these issues at that time. I am going to stop responding to emails at this time, not to be rude, but because the appointment we have scheduled for March 1 is the more appropriate forum to discuss these matters. Please feel free to bring any questions with you on that date.

Thank you, and I look forward to speaking with you on March 1.

Best regards,

Dr. Rogstad

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)

Senior Clinical Forensic Psychologist

Board Certified in Forensic Psychology, American Board of Professional Psychology

(she/her/hers)

Fourth Judicial District and Regional Psychological Services

Phone: (612) 394-0937

27-CR-23-1886

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State of Minnesota
3/10/2023 4:30 PM**PSYCHOLOGICAL SERVICES****300 S. 6th Street, Suite C-509, Minneapolis MN 55487-0351 • (612) 348-3723 • FAX (612) 348-3452****CONFIDENTIAL FORENSIC
EVALUATION REPORT**

March 10, 2023

The Honorable Presiding Judge
Fourth Judicial District Judicial Officer
Hennepin County District CourtRe: Matthew David
DOB: Guertin 07/17/1981
File Number: 27-CR-23-1886

Dear Your Honor:

REASON FOR REFERRAL

Matthew Guertin is a 41-year-old man. He is currently charged with four felony counts: (1) dangerous weapons and recklessly discharging a firearm within a municipality and (2) three counts of receiving or possessing a firearm not identified by a serial number. These charges stem from an alleged incident in January 2023 during which the defendant is accused of possessing an automatic rifle, full-size pistol, and compact pistol, and firing shots from his apartment. Pursuant to the court order of the Honorable Lyonel Norris and the Honorable Toddrick Barnette, dated January 25, 2023, Mr. Guertin was referred for an evaluation of his competency to proceed under Minnesota Rules of Criminal Procedure, 20.01, Subd. 2, which addresses his capacity to understand the proceedings, participate in the defense, and consult rationally with counsel. The current report was prepared for this purpose.

FORENSIC NOTIFICATION

Mr. Guertin was informed of the nature and purpose of this evaluation at the beginning of the interview. He was told the evaluation concerned his competency to proceed. He was informed the usual doctor-patient relationship did not exist in the context of this court-ordered evaluation, as the information obtained was not confidential. Specifically, he was notified an evaluation report would be prepared and submitted to the Court, and the defense and prosecuting attorneys would also be provided with copies. Mr. Guertin expressed his understanding of this advisement by summarizing its essential components and asking relevant questions. He agreed to participate in the interview.

SOURCES OF INFORMATION***Assessment Procedures***

- An interview session with Mr. Guertin on March 1, 2023, at the Psychological Services office of the Hennepin County Government Center (HCGC) in Minneapolis, Minnesota. For training purposes, Dr. Casey Boland, a forensic psychology postdoctoral fellow with Psychological Services, primarily conducted the interview, which I supervised.

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- Mr. Guertin also sent me seven unsolicited email messages on February 13, 2023; February 14, 2023; February 15, 2023; March 2, 2023; and March 3, 2023.

Records Reviewed

- The current criminal complaint, Fourth Judicial District, filed January 24, 2023.
- Incident report from the alleged instant offense, Minnetonka Police Department, dated January 21, 2023.
- An incident report regarding incident number MP23000151, Minnetonka Police Department, dated January 12, 2023.
- MNCIS records from court file number 27-CR-23-1886 and other cases referencing the defendant.
- The following discovery materials related to the alleged instant offense:
 - Audio recording from the statement Mr. Guertin made to law enforcement at the time of his arrest.
 - 104 photographs from the alleged offense.
- Medical records from Mr. Guertin's contacts with Hennepin County Medical Center (HCMC), dated October 3, 2009 to October 7, 2009.
- Custodial records from the defendant's incarcerations at the Hennepin County Jail (HCJ), dated December 17, 2007 to January 25, 2023.
- Documentation provided by the defendant, organized in sections with the following title page headings:
 - "Mark Roberts Motion Control - Email Exchange - Exhibit 'MR0.' "
 - "U.S. Patent #11,577,177- Exhibit 'PT1.' "
 - "U.S. Patent #11,577,177- Exhibit 'PA2.' "
 - "U.S. Patent #11,577,177- Exhibit 'PA3.' "
 - "U.S. Patent Application #17/709,126 - Exhibit 'PA1.' "
 - "Trojansky/Netflix - Exhibit 'NF1.' "
 - "Eyeline Studios - Exhibit 'NF3.' "
 - "Virtual Production - Exhibit 'VP1.' "
 - "Mark Roberts Motion Control - www.MrMoCo.com - Exhibit 'MR1.' "
 - "Dimension Studios - Exhibit 'DM1.' "
 - "Dimension Studios - Exhibit 'DM2.' "
 - "Microsoft - Exhibit 'MS4.' "
 - "Microsoft - Exhibit 'MS3.' "
 - "Microsoft - Exhibit 'MS2.' "
 - "Microsoft - Exhibit 'MS1.' "
 - "Photorobot - Exhibit 'PR1.' "
 - "Photorobot & Internet Archive - Exhibit 'PR2.' "
 - "Photorobot & Internet Archive - Exhibit 'PR3.' "
- The following data were emailed to me by the defendant after the interview session:
 - An electronic photograph of a spreadsheet labeled, "Matrix."
 - Two emails addressed to the defendant from "Internet Archive," dated December 9, 2022.
 - Three files containing website data from www.photorobot.com.
 - Incident report from case number MP23000151, Minnetonka Police Department, dated January 12, 2023.
 - Annotated email exchanges between Mr. Guertin and his patent attorney, dated January 5, 2023 to January 6, 2023.

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- Tom Prochazka, Assistant Hennepin County Attorney, via email on February 22, 2023.

Three additional sources of data were sought but not available by the time this report was prepared. First, on

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February 22, 2023, Dr. Boland and I attempted unsuccessfully to reach defense counsel to discuss the current referral. Second, I also tried to reach Mr. Guertin's patent attorney on March 10, 2023, without success. Finally, a request for records from the defendant's reported contacts with the Schuster Medical Research Institute in California was not returned.

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RELEVANT BACKGROUND AND HISTORY

General History

Mr. Guertin stated he was born and raised in Minnesota. He indicated he was reared by his mother, and did not have contact with his father during his youth. He also disclosed placements in foster care and involvement with youth services organizations, which he attributed to his youthful behavioral misconduct (e.g., running away and juvenile arrests) and his mother's corresponding difficulty coping with his behavior. However, Mr. Guertin reported a good relationship with his mother, with whom he currently lives, at present. He did not endorse any childhood trauma or victimization, which was consistent with information he offered to medical providers in HCMC records.

Mr. Guertin remarked that he withdrew from school during his senior year of high school "to go work," adding that he "was bored" in school. On this point, he added that he participated in special education curricula for attentional and behavioral difficulties, noting he was "bored," "rambunctious," and had trouble focusing on his studies. He underlined perceptions of his high intelligence, however, noting he found school "boring and easy" and "had a super high GPA [grade point average]." He said he subsequently obtained a general education development (GED) degree. Medical records related further that he did not attend college courses.

Regarding employment, the defendant disclosed he currently works as the chief executive officer (CEO) of a startup company. He reported past employment at "one of the top visual effects companies" in the entertainment industry, adding that he lived in Los Angeles, California for about six years before moving back to Minnesota in 2020. Mr. Guertin also spoke of previous positions at night clubs, and HCMC records from a 2009 contact corroborated that he reported work programming lights for these clubs, as well as self-employment with a painting business, at that time. He disavowed receiving any financial assistance.

Substance Use History

During the current examination, Mr. Guertin endorsed an extensive substance use history. He said he began using alcohol and marijuana around age 14. He estimated he consumes alcohol "every couple of months" at social gatherings, though he acknowledged "isolating himself" recently "to the point [that] people think it's unhealthy." He characterized his more recent marijuana use as occasional and opportunistic, noting he will use the drug "if it's around and someone has it," which he approximated occurs "a few times a month." When asked about other drugs, Mr. Guertin stated he has used "everything but heroin" throughout his lifetime, including "psychedelics" (e.g., dimethyltryptamine [DMT] and lysergic acid diethylamide [LSD]) and stimulants (e.g., methamphetamines and crack cocaine). However, he disavowed the use of these drugs within recent years. HCMC records listed similar substances (i.e., alcohol, methamphetamines, LSD, and other hallucinogens) the defendant reported using during a 2009 encounter, noting he identified at that time his drugs of choice as alcohol and hallucinogens. Although he disclaimed during the current evaluation any past participation in substance abuse treatment, HCMC records listed a program in which he was reportedly enrolled as an adolescent in relation to his marijuana use and its effects (i.e., paranoia).

Mr. Guertin stated he is presently prescribed the psychostimulant medication Adderall for attention-related issues. He indicated the medication was authorized by a doctor based in California whom he has seen for the past six years. Records from this facility were requested but not received to verify this information. Nonetheless, photos included with discovery materials showed prescription bottles purportedly at the defendant's apartment, and one listed Adderall in the defendant's name. On this point, when asked directly, Mr. Guertin specified that he takes this

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medication as prescribed. However, he immediately contradicted himself by underlining occasions on which he has taken additional dosages throughout the day, attributing this practice to being "a workaholic."

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Psychiatric Treatment History

As mentioned, Mr. Guertin spoke of attention-related problems dating back to his youth. He stated he was diagnosed with both attention-deficit/hyperactivity disorder (ADHD; a neurodevelopmental disorder that emerges during youth and is characterized by difficulties with attentional and behavioral regulation) and bipolar disorder (i.e., a mood disorder in which one experiences prolonged, abnormally elevated mood states). He expressed disagreement with the latter diagnosis, which was similar to statements he made in collateral records. For instance, in an audio recording included with discovery materials, Mr. Guertin underlined his views on this diagnosis by commenting, "You're supposed to go up and down [if you have bipolar disorder], but I'm always up." He disclosed sleep irregularities (e.g., not sleeping for the two days preceding his arrest) at that time. Likewise, the defendant said during the current evaluation that he needs "not even six" hours of sleep at night, underlining further instances of a decreased need for sleep without associated fatigue. He further characterized himself as a high-energy person, though he disclaimed any perceptions that his energy was excessive. He stated he is presently prescribed Adderall and the anti-anxiety medication Klonopin, describing the former as particularly effective for "keep[ing] focus" and "slowing [him] down."

Mr. Guertin disclosed brief hospital admissions "when [he was] younger" that he attributed to complications of his substance use patterns. Specifically, he related he was held at facilities briefly and involuntarily for making "really stupid decisions" while intoxicated. Although they only reflected one such admission, HCMC records corroborated this account. In particular, these records indicated the defendant was admitted to the hospital for four days in October of 2009, after he threatened to jump from an interstate bridge overpass that led to a "90-minute standoff" with law enforcement. At the hospital, Mr. Guertin explained his actions in terms of his drug use, noting he became paranoid and distrustful after using LSD, called 911, became concerned "the police were out to get him instead," and then tried to escape law enforcement by climbing the overpass structure. Records specified his blood alcohol level was also elevated (i.e., 0.10) at the time. A few days into the hospitalization, a psychiatrist documented that Mr. Guertin's speech was somewhat rapid and pressured, and he could be "over-inclusive" with details, but his thinking and perceptions were otherwise unremarkable. Hospital staff reportedly petitioned to have the defendant civilly committed, but it was not supported, and he was eventually discharged without psychiatric medications. At that time, clinicians attributed his clinical presentation at the time of his admission to the effects of his substance use and intoxication level.

During the current evaluation, Mr. Guertin disclaimed any recent mental health symptoms when asked directly. However, both his statements during the interview session and information from collateral sources contradicted this account. The former will be reviewed in the next section of this report. Regarding the latter, the police report and discovery materials from the alleged offense reflected a number of unusual beliefs the defendant espoused around the time of his arrest. On this point, these sources of data indicated he spoke of a technological invention he patented that was worth a great deal of money (i.e., \$250,000,000). He asserted that organizations discovered this invention, and began accessing, "deleting, and changing files in [his] computer." Indeed, the police report and photographs from Mr. Guertin's apartment suggested his electronic devices were wrapped in tinfoil, and he covered his windows and walls with "space blanket material." During an audio recorded statement, the defendant further asserted other persons were trying to "kill [him]," which was corroborated by photographs of statements the defendant had written in a notebook and on the walls throughout his apartment. For instance, he wrote that he believed someone put "a 'hit' out on [him]," adding, "Whoever is behind all of this has one million different ways to set me up or frame me if they want." During the aforementioned audio recording, he said he inferred this nefarious intent by "symbology" he found on websites (e.g., perceived associations with September 11, 2001). He

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also spoke at length about contacts he had with artificial intelligence posing as "real people," noting he discerned the impostors with a "word-language analysis" that identified anomalies (e.g., phrases like "3D scanning") in these discussions. He described recent conversations he had in the following way during the recording: "I don't know if I'm talking to real people at this point."

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COURSE OF THE EVALUATION

Mr. Guertin and I spoke prior to the March 1 interview session for the purposes of scheduling. Afterward, he sent me a series of unsolicited email messages in which he asked a number of questions about the upcoming interview, and he offered lengthy descriptions and explanations for the aforementioned belief system accompanied by links he characterized as evidence supporting his assertions. The beliefs in question were consistent with those articulated in both the previous paragraph and the next section of this report. His statements suggested he intended to send me more messages, as he provided the following foreword: "In what I am sure will be one of many follow up emails leading up to our meeting..." I responded by asking that he not send these messages, explaining that both

(a) the information he provided and (b) his questions (which referenced some themes contained in the aforementioned forensic notification) would be reviewed at length during the interview session. I directed him to bring the evidence to which he referred to the interview session, at which time I would review it. He subsequently sent a message with a logistical question, which I answered, but he later sent another long email with several questions. I assured him that he would be provided ample opportunity to make these inquiries (which were again relevant to the evaluation but would be addressed by the forensic notification), and I indicated I would no longer respond to any such messages since the interview session was the appropriate forum in which to discuss these matters. Mr. Guertin adhered to these boundaries, and he did not send more emails before the March 1 session. He supplemented our discussions from the interview session with four additional emails that included annotated attachments, which he asserted supported the statements he made during the interview.

CURRENT CLINICAL PRESENTATION

As mentioned, the interview session occurred in person at the HCGC. Mr. Guertin arrived approximately 30 minutes late for the appointment, although he called to notify me that he was on the way to the session and would be tardy. I explained the policy regarding examinees' late arrivals, and he replied that he would rather be late and "100% prepared" than arrive on time. As noted, he arrived with a large stock of documents, organized into sections, which he provided for my review and stated supported his assertions.

During the interview session, Mr. Guertin was occasionally difficult to hear given the configuration of these on-site interview rooms, which are equipped with Plexiglas in relation to the recent global pandemic. Nonetheless, these issues were easily surmounted with requests that he repeat the relevant information, which the defendant obliged. As mentioned, a postdoctoral fellow in forensic psychology conducted the bulk of the interview, but I was present in the room throughout the session, supervised its administration, and offered additional inquiries as indicated.

Mr. Guertin was alert. His eye contact was adequate. He remained seated without apparent difficulty during the session, and he did not appear restless or exhibit any abnormal movements. Furthermore, he adhered to the boundaries set and enforced while conducting the interview, although he expressed irritation in a slightly condescending manner on one occasion in response to Dr. Boland's interruption to keep his comments on-topic.

The defendant appeared to be in good spirits. When asked, he disclaimed any suicidal or violent thinking, intent, or plan, and he was not judged to be at imminent risk of harm to himself or others at the time of the interview. Notably, he spoke in a self-aggrandizing manner throughout the session, emphasizing his perceived achievements, abilities, and skills on numerous occasions. Indeed, as an illustrative example, Mr. Guertin repeatedly highlighted perceptions of his high intellect (e.g., "I'm smart. [...] I'm very good at telling stories, and [I am] very smart"). His

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remarks often impressed as grandiose in nature. For instance, he spoke of being "an engineer," describing a recent technological invention in glowing terms and characterizing it as somewhat revolutionary.

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Mr. Guertin espoused perceptual disturbances consistent with delusions (i.e., fixed beliefs that deviate markedly from objective reality and are held despite contradictory evidence). He spoke at length about his prowess with technology, including an invention he patented related to visual effects and photography technology. While some elements of his assertions referenced real technological subjects (e.g., neural radiance fields¹), the defendant's views in relation to these matters were also consistent with the phenomenology of delusions. In particular, he asserted that large corporations (e.g., Netflix and Microsoft) discovered this technology, realized the financial incentives at stake, and began to target the defendant for nefarious purposes. For instance, he expressed views that these agencies accessed his patented technology through his personal devices, fraudulently implemented it as if created by them, and went to great lengths to cover up the theft. Mr. Guertin further insisted the entities in question intended to harm or kill him, referring to the situation as a "conspiracy" "at a bigger level" in which he perceived his "safety to be at risk," citing "weird coincidences" (e.g., the presence of "two cars behind [him]" at one time²) to support his conclusions. His remarks and reasoning in these domains referenced unclear, irrational reasoning and implausible events. On this point, the defendant produced a large volume of documentation, which was reviewed for this examination, that he stated supported his conclusions. However, the links between some of these data and his inferences were not clear. Rather, they showed that his patent had the potential to be lucrative if it was as innovative as others he used as examples. The documentation he identified as most critical³ did not support his assertions, instead suggesting Mr. Guertin was prone to inferring nefarious intent from benign stimuli. The documentation and supplementary, emailed materials in no way supported or clarified the more improbable (e.g., targeting him individually to harm him) elements of his beliefs. On the contrary, the defendant's statements were commensurate with persecutory and referential (i.e., the belief that random events have personal significance) thinking.

Although his speech was not pressured, Mr. Guertin was verbose, as his responses to our questions frequently included excessive detail not targeted by the question. He was prone to long narratives on themes only peripherally related to the topic at hand. He could be directed with firm interjections and attempts to refocus him to the subject at hand, but these interventions were less successful as the interview progressed. Indeed, the defendant was prone to distraction, often by his own thoughts. He tended to offer fragmented remarks that failed to convey an entire idea before drifting to another subject that was either (a) loosely related to his prior statements or (b) required repeated clarification from Dr. Boland or me to discern the links. This tendency became increasingly prominent as the interview progressed, particularly as we discussed his delusional beliefs in more depth, and occurred especially in response to open-ended questions. It also became increasingly difficult to intervene and redirect his attention.

¹ For example, see Mildenhall, B., Srinivasan, P. P., Tancik, M., Barron, J. T., Ramamoorthi, R., & Ng, R. (2022). NeRF: Representing scenes as neural radiance fields for view synthesis. *Communications of the ACM*, 65(1), 99-106. DOI: 10.1145/3503250. Accessed from <https://dl.acm.org/doi/pdf/10.1145/3503250> on February 28, 2023.

² In the discovery materials reviewed for the current evaluation, Mr. Guertin made a similar reference to these observations during his audio recorded interview with law enforcement around the time of his arrest, which involved his presence at the police station on a prior date. Notably, the interviewing detective outlined a reality-based, plausible explanation for the presence of these vehicles, though the defendant continued to assert the nefarious intent signaled by their presence during the current interview.

³ Mr. Guertin selected a series of email exchanges between a CEO of a related technology company and himself as particularly emblematic of the alleged fraud and conspiracy he discussed. The CEO in question expressed interest in the defendant's patented technology but linked another, similar "system that's been around for years," further inquiring how Mr. Guertin's patent was "unique compared to" this existing technology.

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to the matter at hand during these instances. On this point, Mr. Guertin had difficulty completing a full, coherent narrative without becoming sidetracked by seemingly incidental elements of the story, which rendered the progression of his logic and overall meaning of his statements difficult to discern. As an illustrative example, I asked Mr. Guertin a series of questions toward the end of the session to clarify some information he had provided. I purposefully presented these inquiries in a targeted, directive manner to mitigate the potential for such long, meandering narratives. Nevertheless, his responses remained disjointed, and they often failed to convey the specific information sought despite his tendency to speak for long periods of time. For instance, when I asked him to expand on examples of "coincidences" to which he had previously referred, he spoke of "see[ing] patterns" because he is "very analytical" and repeating his ability to infer "patterns" before launching into a long, meandering narrative during which he referenced a (a) person with whom he spoke at the Central Intelligence Agency (CIA), (b) "special ops gear" related to his "inventions" and a related description, (c) and "weird things" that suggested he might be returning to the point of my question. However, he instead referenced contacts he had with individuals from various agencies (e.g., the CIA, Federal Bureau of Investigations, and Minnetonka Police Department). I attempted to clarify these statements, but Mr. Guertin's circuitous thinking and speech rendered his logic difficult to follow. He also seemed to contradict himself at times. Indeed, on a few occasions, I tried to summarize succinctly my understanding of the broader conceptual themes of his long, disjointed statements. The defendant indicated my inferences were inaccurate, but his attempts to explicate and correct any misconceptions failed to convey his meaning coherently given his propensity for digressions in his thinking and speech.

Filed in District Court
State of Minnesota
3/10/2023 4:30 PM

FORENSIC ANALYSIS AND OPINION

According to the Minnesota Rules of Criminal Procedure, 20.01, Subd. 2, a defendant is incompetent to proceed with his legal case if he is presently experiencing symptoms of a mental illness or cognitive impairment that prevent his from understanding the proceedings, participating in the defense, or consulting rationally with counsel. I considered these criteria when developing the current forensic opinion.

Does the defendant have a mental illness or cognitive impairment?

Clinical impressions were formed considering information from the above-named sources, which provide sufficient basis to offer the following diagnosis in accordance with the criteria set forth by the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition, Text Revision (DSM-5-TR):

Unspecified Schizophrenia Spectrum and Other Psychotic Disorder (primary)

Mr. Guertin's current presentation is consistent with diagnosis of a psychotic disorder, a condition characterized by grossly disrupted perceptions of external reality. In particular, he displays prominent delusional beliefs that include persecutory and referential themes, as he is convinced he has been targeted by large corporations who intend to (a) steal a patented technology that could revolutionize the industry and (b) harm him. On this point, the limits of my expertise in relation to technology matters must be acknowledged, as I lack the specialized training in this field to analyze the defendant's reported invention, patent, or any existing technology it resembles. I tried to consult without success with Mr. Guertin's patent attorney to verify any realistic factors underpinning his assertions. Nevertheless, even if the technological aspects of the defendant's statements prove true (i.e., that he has a viable technology that was introduced by others after he received his patent), his views remain consistent with delusions. Specifically, the more improbable elements of Mr. Guertin's beliefs have plausible, alternative explanations offered by collateral sources (e.g., his interpretations of the vehicles he believed were following him), and their content (e.g., being followed and targeted for nefarious purposes, including efforts to harm or kill him; accessing his personal devices at his home) and intensity are highly consistent with the phenomenology of the persecutory delusions that can accompany psychotic disorders. Similarly, the factors he has cited to support his views (e.g., inferences about "symbolology" embedded in data he reviewed and "coincidences" with unclear links to

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his ultimate conclusions) relied heavily upon referential thinking.

Diagnosis is complex in Mr. Guertin's case, and diagnosis of an unspecified psychotic condition is offered, for two key reasons. First, the defendant's age does not preclude the potential for a recent onset of delusions, which would favor the diagnosis of a delusional disorder (i.e., a condition characterized by prominent delusions that tends to emerge later in life in comparison to other psychotic disorders). However, several confounding factors exist that complicate diagnostic precision. For instance, the defendant endorsed some recent drug use, including marijuana and misuse of his Adderall prescription. As a result, the potential effects of such substance use on the emergence and maintenance of his mental health symptoms cannot be definitively discounted.

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Second, and on a related note, the possibility that Mr. Guertin's current condition includes a mood-related component cannot be ruled out, though this analysis is also complex. On the one hand, several aspects of his clinical presentation are consistent with the elevated mood states that typify mania or hypomania. For instance, the defendant presented with inflated self-esteem and grandiosity. Data also reflected instances during which he experienced decreased need for sleep. Although his speech was not pressured, he was quite verbose during the interview, and his frequent digressions and tendency to become distracted by his own thoughts were consistent with flight of ideas (i.e., the tendency to change topics linked by only loose, superficial connections). As mentioned, he was also highly distractible throughout the session to the point that it became difficult to extract meaningful, coherent information from him. These symptoms are consistent with the presentation of a manic or hypomanic episode. On the other hand, Mr. Guertin's reported difficulties with attentional and behavioral regulation during youth (i.e., the reported diagnosis of ADHD) and misuse of his prescribed psychostimulant medications confound diagnostic precision in this area. It is possible his mood-related symptoms are (a) substance-induced, (b) reflective of an underlying personality style in which he exhibits grandiosity and self-aggrandizement, exacerbated by a neurodevelopmental issue related to his attentional and behavioral regulation, or (c) some combination thereof. Collateral records were sparse to confirm the onset of any symptoms and the nature of the defendant's functioning in the relevant domains beyond his self-report, and the reliability of his account is called into question by the limited insight he has into other aspects of his mental health (e.g., delusions). For these reasons, diagnosis beyond an unspecified condition is not offered at the current time.

Fortunately, diagnostic precision is not required to answer the current referral question, which instead relies upon an analysis of *current symptoms* and any corresponding effects on specifically defined, competency-related abilities. These abilities are addressed in the next section of this report. Regarding this question of symptoms, however, the presence or absence of mood-related symptoms is comparatively more ancillary to the current referral question given the pronounced nature of Mr. Guertin's delusions at the present time. In other words, data from the current evaluation support the presence of delusional beliefs. In addition, my clinical observations from the interview session highlight the potential presence of manic or hypomanic symptoms at the current time, which cannot be ruled out based on existing data.

Does the defendant's mental illness prevent a factual or rational understanding of the legal process or the charges against her? Does the defendant's mental illness presently obstruct his ability to work with an attorney to prepare a reasonable defense?

Mr. Guertin expressed awareness of the nature of the current allegations. He recognized he is charged with "reckless discharge of a firearm in a municipality" in relation to accusations that he was "shooting a gun out [his] window in Minnetonka." These descriptions coincided with information from charging documents. He was receptive to our education about his remaining charges, which he later stated accused him of "possession of guns without serial number[s]." However, it should be noted that Mr. Guertin's further discussion of the circumstances surrounding his arrest and perceptions of his legal situation were mired in delusional reasoning. For instance, while

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he spoke cogently about various pleas and the nature of legal proceedings in general, he identified a preferred defense strategy for his case that relied heavily upon the implausible evidence of his perceived persecution. Dr. Boland and I also introduced discussions of the mental illness defense during the interview. Although the defendant asked relevant questions about the outcomes of this defense strategy (e.g., whether such a defendant would be "committed"), he had difficulty discussing logically the potential applications of this alternative to his own circumstances given his prominent delusions and limited insight into their implausible nature. Moreover, we asked Mr. Guertin about the possibility of testifying on his own behalf should his case proceed to trial. While he recognized he could not be compelled to testify, he spoke about this option as a way to "have the opportunity to make all this stuff [about his perceived persecution] public in the courtroom." His delusions also compromised his capacity to discuss evidentiary factors in relation to the current proceedings. Indeed, he spoke at length about "the stuff [he] collected" to support his persecutory beliefs, asserting further that the "evidence will speak of [sic] itself" if considered by courtroom principals.

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FORENSIC OPINION

Mr. Guertin presently exhibits pronounced delusional beliefs of a persecutory nature. He is prone to inferring nefarious intent from benign events, and his reasoning is marked by referential thinking. These symptoms are highly consistent with the presentation of a psychotic disorder. The defendant is also verbose, and he is prone to distraction by his own thoughts while providing these narratives. This tendency results in meandering, sometimes incoherent statements in which his meaning is difficult to discern, and even targeted, directive lines of questioning are not consistently successful in clarifying his ideas. This looseness in his thinking is particularly prominent when discussing delusional themes. Although diagnostic precision in this case is difficult, the possibility that his current psychiatric condition includes a mood component beyond the presence of psychotic symptoms cannot be definitively ruled out.

The aforementioned symptoms interfered with our discussions of legal matters during the current evaluation. Indeed, while he knows the nature of his charges, Mr. Guertin's delusional beliefs are inextricably linked to his perceptions of his current legal situation, and they obstruct his ability to apply this factual legal knowledge to discussions of his own case in a rational manner devoid of delusional reasoning. On this point, he spoke of various decisions tasked to criminal defendants, but he supported his choices with impaired perceptions of objective reality. His delusions further impact his perceptions of the evidence relevant to his case. Furthermore, he had difficulty participating in consistently coherent, reality-based discussions about the proceedings during the current evaluation, which calls into question (a) the productivity of his legal exchanges with his attorney when preparing a defense and (b) his capacity to testify in the proceedings. The combination of these factors supports the conclusion that **Mr. Guertin's symptoms presently compromise his capacity to understand rationally the proceedings, participate in the defense, and consult rationally with counsel.**

FURTHER CONCLUSIONS AND RECOMMENDATIONS

Psychotic symptoms typically remit with the prolonged administration of an appropriate psychiatric medication regimen. Given the unknown contributions of his psychostimulant medication misuse to his current presentation, his compliance with this medication as *prescribed* would be critical to improving his functioning. His abstinence from substance use is also recommended to improve and maintain his mental health stability. Although his response to such recommended intervention is unknown, research (Pirelli & Zapf, 2020) has demonstrated that nearly all (81%) defendants deemed incompetent to proceed can be restored to adjudicative competency under traditional competency restoration commitment statutes. These statutes do not exist in Minnesota at present, but it is reasonable to conclude his mental health could stabilize and his competency-related abilities improve if a proper treatment regimen was implemented. Given his limited insight into the nature of his symptoms, Mr. Guertin would be an appropriate candidate for **referral for civil commitment as a person who poses a risk of harm due to**

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a mental illness. Commitment as a person who is mentally ill and dangerous to the public could also be considered given the nature of the specific allegations included with the current referral.

Please do not hesitate to contact me if the Court has further questions about this report.

Respectfully submitted,

 **PhD, ABPP, LP**

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)
Licensed Psychologist

Board Certified in Forensic Psychology by the American Board of Professional Psychology
Senior Clinical Forensic Psychologist, Fourth Judicial District

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State of Minnesota
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MINNESOTA
JUDICIAL
BRANCH

Matthew Guertin / Language Analysis Matrix

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us

CC Bruce Rivers<riverslawyers@aol.com>

Date Friday, March 2nd, 2023 at 9:44 PM

Jill,

Per our meeting the other day here is a copy of the language matrix I created using MAXQDA which I had mentioned during our discussion, but which is too high resolution to have printed out and include with the stack of supporting documents I provided you with.

It is attached. The columns are blog articles from PhotoRobot dot com with the most recent url's/articles on the left hand side and all of the rows are words. The numbers in the matrix and the corresponding colors correlate with the use count as far as how many times a particular word or combination of words was used in each blog post.

This still has the original creation date of December 12th, 2022 which further supports the information I relayed to you about how I had caught on to the fraud taking place early on and had been investigating it for a while leading up to the incident that took place at my apartment resulting in the criminal charges I am currently facing.

It was very nice to meet you and I appreciate you taking the time to listen.

Thanks again,

Matthew Guertin

Sent with [Proton Mail](#) secure email.

359.24 KB 1 file attached

Matrix.png 359.24 KB

Re: Matthew Guertin / Language Analysis Matrix

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us

CC Bruce Rivers<riverslawyers@aol.com>

Date Friday, March 3rd, 2023 at 12:04 AM

Included here is a copy of an email correspondence between me and my patent attorney discussing the fraud taking place (attached)

The Police report that I filed with the Mntka PD 9 days before the incident at my apartment (attached)

And my automated signup email from the Internet Archive when I signed up for my account 'PatentlyFalse' (attached)

I will follow up with two additional emails - each containing one of the originally dated PDF screen captures I made of the web archives archived (supposedly) version of PhotoRobot.com/blog.

I have to include in two separate emails as they are each 13mb.

That is everything I will send you...meaning I am not going to keep sending any additional documents or files after the two emails following this one but I figured it wouldn't hurt to include a few more additional pieces of the puzzle which help substantiate the stuff discussed in our meeting.

Thanks again!

~Matthew Guertin

Sent with [Proton Mail](#) secure email.

21.66 MB 3 files attached

Email_correspondence_with_IP_attorney_discussing_fraud.pdf 10.19 MB

WaybackMachine_signup_email__12_09_2023__02_45.pdf 3.26 MB

Mntka_PD_Police_Report_23-000151__1_12_2023__14_02.pdf 8.20 MB

Re: Matthew Guertin / Language Analysis Matrix

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us

CC Bruce Rivers<riverslawyers@aol.com>

Date Friday, March 3rd, 2023 at 12:07 AM

First screen capture of archived page

with a 'last modified' date of December 9th, 2022 @ 4:49am - the modification was me adding the wayback url to the top of each of the pages - right click and look at the document properties for additional time and date metadata information.

(attached)

Sent with [Proton Mail](#) secure email.

13.53 MB 1 file attached

screencapture-web-archive-org-web-20220811043707-https-www-photorobot-com-blog-2022-12-09-04_... 45.pdf
13.53 MB

Re: Matthew Guertin / Language Analysis Matrix

From matt [REDACTED] >

To jill.rogstad@courts.state.mn.us

CC Bruce Rivers<riverslawyers@aol.com>

Date Friday, March 3rd, 2023 at 12:14 AM

Second screen capture of archived page - taken a few minutes later

with a 'last modified' date of December 9th, 2022 @ 4:51am

Pay close attention to the top left and top right of the Wayback Machine date bar header at the top of the pages.
See if you notice anything changing....

I included an edited PDF I made pointing out what is happening which also shows the document properties tab opened

(attached)

And that is everything!

Thanks again!

~Matt

Sent with [Proton Mail](#) secure email.

17.45 MB 2 files attached

screencapture-web-archive-org-web-20221209090542-https-www-photorobot-com-blog-2022-12-09-04_... 19.pdf
13.82 MB

Show_and_tell.pdf 3.63 MB

RE: [EXTERNAL] Re: Matthew Guertin / Language Analysis Matrix

From jill.rogstad@courts.state.mn.us <Jill.Rogstad@courts.state.mn.us>

To Matt [REDACTED] >

CC Bruce Rivers<riverslawyers@aol.com>

Date Tuesday, March 7th, 2023 at 10:45 AM

Thank you, Mr. Guertin. I wanted to confirm receipt of four emails with the attachments.

Best regards,

Jill E. Rogstad, Ph.D., LP, ABPP (Forensic)

Senior Clinical Forensic Psychologist

Board Certified in Forensic Psychology, American Board of Professional Psychology

(she/her/hers)

Fourth Judicial District and Regional Psychological Services

Phone: (612) 394-0937

Need help overcoming these very realistic "psychotic delusions" I still seem to be experiencing...

From mattguertin <MattGuertin@protonmail.com>

To jill.rogstad@courts.state.mn.us

CC Bruce Rivers<riverslawyers@aol.com>

Date Wednesday, April 26th, 2023 at 1:37 PM



Dr. Rogstad,

Good afternoon

It would appear as though one or more of the potential mental disorders you diagnosed me as possibly having is starting to affect other people now as well.

https://youtu.be/V6_jCGzR020

Is the whole world going mad now?

I've also been struggling quite a bit since our meeting as I attempt to better understand and come to grips with the fact that you convinced me beyond any reasonable doubt that I'm absolutely not "an engineer" and that the many "perceived" achievements I mentioned to you in our meeting (as a way of providing you with better context) were in fact just very realistic distortions of reality caused by one or more of the many mental deficiencies you were able to so quickly identify me as potentially suffering from. (thanks again for really taking the time and putting in the effort to get to know me so well)

The reason for my 'struggles' however isn't because I'm in any disagreement with you or what you are saying - I know how highly educated you are Dr. Rogstad.... so that is why I'm wondering if you might be able to help me at least identify what it is called when a formerly schizophrenic and delusional person like myself is finally able to turn the corner and become more reality based, truthful, introspective, and accepting of my true and actual reality while at the same time being tempted to return to my old ways due to the fact that I am constantly surrounded by a plethora of evidence which causes me to view my 'delusions' as instead being factual, reality based events that seemed like they were 100% real and actually happened?

For example I just came across this online article in which the following is stated:

"the set piece was engineered and built in-house at XiteLabs studio by creative technologist Matt Guertin . LED tiles from PRG were dismantled into smaller component modules, custom configured and re-wired by Guertin at XiteLabs to create smaller radius circular elements to create the smooth edges of the eye. Guertin designed and engineered 420 metal parts cut out of eight

different types of material, as well as 268 individual acrylic pieces from six different materials. The estimated total number of soldering points was in the 2,000 range."

<https://plsn.com/articles/video-trends/xitelabs-steps-up-and-out/>

As another example of the conflicted version of reality I currently reside in - **here is another one which appears to be some kind of technology based company in which I'm actually credited as some sort of "engineer" again.....** I just don't get it. It seems so crazy and unlikely that someone as mentally ill as I am who is completely detached from reality in such a profound way keeps getting mistakenly put into magazines and online publications as a way of showcasing just some of my many 'perceived' achievements - All of them being ones which are so realistic they seem to have persisted ever since I remember imagining them happening? It is very strange.

"Falcon Design, Fabrication Direction and **Engineering:**
Matt Guertin"

<https://blacktrax.cast-soft.com/showcase/tracking-a-50ft-falcon-with-xitelabs/>

And then there's this one which also appears to be more weird computer stuff of some kind but maybe it just looks technical on purpose so they can charge more money? ? Either way it's way over my head and I have no clue who is doing this or what their reasoning would be for continuing to fraudulently post articles about me in an attempt to make me look good and trick people into believing I actually might be as intelligent as I claimed during our meeting.

"Matt Guertin - Touch Designer **system design** "

<https://www.disguise.one/en/insights/case-studies/la-philharmonic/>

One of these weird technical/software websites even put me on the front page of their website in 2014 supposedly..? How the heck can that be true?? It just sounds so crazy...delusional even

"It is with great enthusiasm that we publish Matt Guertin's chronicle on the building of his ever-expanding project which will not be finished for some time if our last email exchange concerning the release of Oculus Rift's second developer kit is an indicator of things to come."

<https://derivative.ca/community-post/matt-guertins-epic-never-ending-oculus-rift-kinect-touchdesigner-3d-project/60736>

Apparently this weird 'Touchdesigner' software was created by and still ran by Greg Hermanovick who also created SideFX Software and its flagship 'Houdini' software which is one of the most used and successful visual fx softwares for the film and entertainment industry (used by the likes of Netflix, Disney, Universal Studios, etc.)

Are you starting to see how I might still have some lingering confusion and uncertainty even as I work on fixing myself?

..to make matters even more confounding I even had [REDACTED]

[REDACTED] reply with the following message when she first learned of my patent via fbook messenger.

"extremely impressive and practical product. it should REVOLUTIONIZE THE INDUSTRY." [Images are linked here](#) - also attached

And that's the problem Dr. Rogstad.

I know that none of this stuff is real...you told me so yourself and I know you're one of the best forensic psychologists ever...I mean I knew that right away just based on our first email interaction.... So all I'm left with is what I would describe as very pronounced and persistent distortions of reality which are so vivid and clear that I'm 99.999% sure that they are memories as opposed to delusions... that's what it feels like anyways...but then again I am also entirely aware that nobody actually knows me better than you do - hence my reason for seeking your advice

One of the main substantiating points for your belief that I am 'Schizophrenic and/or possibly Psychotic' and should be committed to a psychiatric ward and placed on powerful antipsychotic drugs until I'm "well" and "competent" (at least enough so that I'm able to understand the charges against me and aid in my own defense...since I am obviously not capable of doing that at all....) was that I have these 'persecutory' delusional beliefs of having invented something so big that it's going to "revolutionize" the industry....and which I somehow believe is so big that companies like Microsoft and Netflix would actually know my name and who I am (obviously crazy...I know this because you told me so)....I like to pretend I know how to build things.....I tell people I'm an "unlicensed engineer" just to make myself feel better about how little I've actually accomplished in my life, etc, etc - and then to really top it all off you still got this website of mine www.MattGuertin.com in which I went so far as to actually organize my delusional experiences into many different pages due to the false perception that I actually accomplished something that real people based in reality would actually care about and want to look at. I mean how crazy is that? Right?

If you have any advice which could help me to better deal with and overcome the struggle I'm experiencing as I

attempt to connect to a more subdued and authentic version of 'reality' which better aligns with yours it would be very appreciated.

What do I have to do exactly to pretend that none of the real and factual evidence I have even exists at all so I can just go along to get along and not be so abrasive?

If I were to be placed on enough powerful antipsychotic drugs for a long enough time period is there a possibility at some point that I just won't even remember any of this so it won't matter anyways?

Or am I just overthinking this and the powerful 'anti-psychotics' you recommended will make me feel so good that I will not care about anything at all as long as I can have an extra graham cracker and juicebox during afternoon group?

You are the **BEST** Dr. Rogstad !

Thank you again!

Sincerely,
Matthew Guertin

PS - I also attached proof of the "special ops gear" which I spoke of in our meeting - [here is a link](#) for that as well - Apparently it is manufactured by this [company in Israel](#) that manufactureswait for it.....SPECIAL OPS GEAR ! whowouldvethought !?

Sent from [ProtonMail](#) mobile

19.33 MB 12 files attached

InkedScreenshot_20230426-101243_Messenger.jpg 402.25 KB

Inked20220108_1659422.jpg 238.38 KB

ODF_Optronics.jpg 295.89 KB

ODF_Company.jpg 464.39 KB

20220108_162218.jpg 2.46 MB

20220108_165950.jpg 3.05 MB

Inked20220108_165942.jpg 3.47 MB

20220108_165942.jpg 6.42 MB

Screenshot_20230423-193622_Brave.jpg 230.46 KB

20220602_070235.jpg 1.71 MB

Screenshot_20230426-101247_Messenger.jpg 148.98 KB

Screenshot_20230426-101358_Messenger.jpg 481.81 KB

EMAIL PGP HEADER -

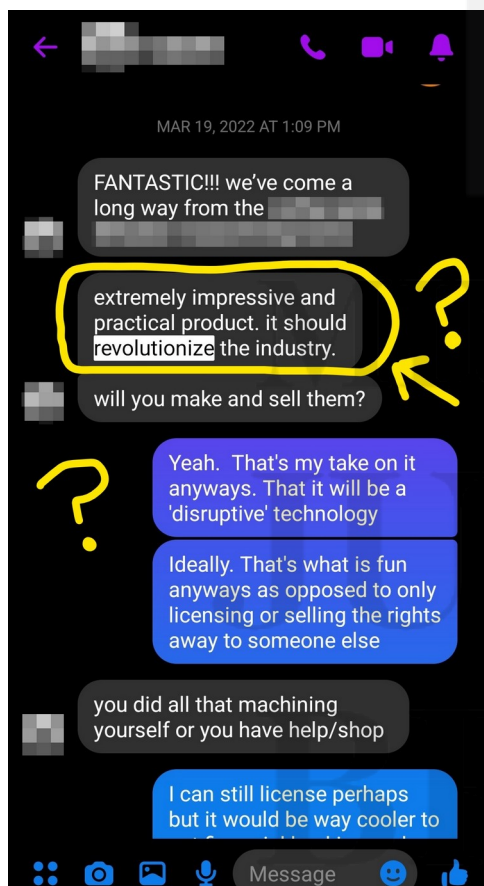
X-Pm-Content-Encryption: on-compose
 X-Pm-Origin: internal
 Subject: Need help overcoming these very realistic "psychotic delusions" I still seem to be experiencing...
 From: Matt Guertin <MattGuertin@protonmail.com>
 Date: Wed, 26 Apr 2023 18:37:17 +0000
 Mime-Version: 1.0
 Content-Type: text/html
 To: jill.rogstad@courts.state.mn.us <jill.rogstad@courts.state.mn.us>
 X-Attached: InkedScreenshot_20230426-101243_Messenger.jpg
 X-Attached: Inked20220108_1659422.jpg
 X-Attached: ODF_Optronics.jpg
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 Cc: Bruce Rivers <riverslawyers@aol.com>
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 X-Pm-Scheduled-Sent-Original-Time: Wed, 26 Apr 2023 18:36:56 +0000
 X-Pm-Recipient-Authentication: jill.rogstad%40courts.state.mn.us=none;
 riverslawyers%40aol.com=none
 X-Pm-Recipient-Encryption: jill.rogstad%40courts.state.mn.us=none;
 riverslawyers%40aol.com=none

JUDICIAL
BRANCH

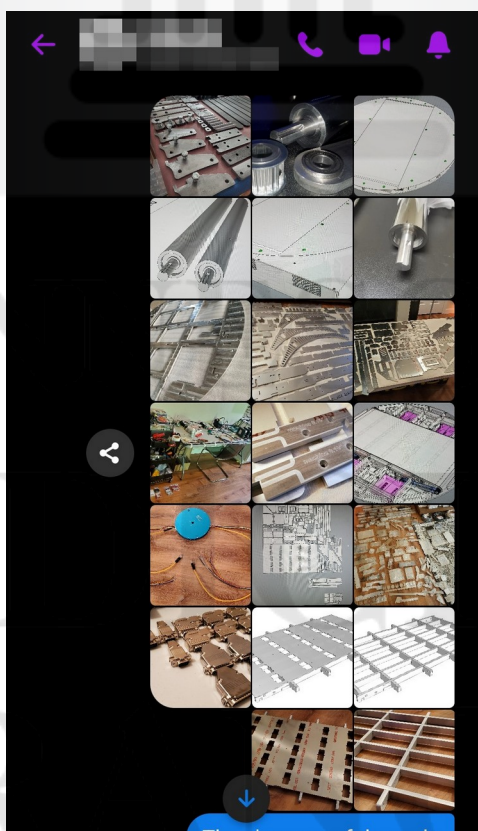
Three of the images attached to the April 26, 2023 email that defendant sent to Dr. Jill Rogstad, which provides irrefutable evidence discrediting key points made in her March 10, 2023 Rule 20.01 Exam Report about the defendant. Defendants defense counsel, Bruce Rivers, was CC'd on this email



InkedScreenshot_20230426-101243_Messenger.jpg



Screenshot_20230426-101358_Messenger.jpg



Screenshot_20230423-193622_Brave.jpg



Re: Need help overcoming these very realistic "psychotic delusions" I still seem to be experiencing...

From mattguertin <MattGuertin@protonmail.com>
To jill.rogstad@courts.state.mn.us
CC Bruce Rivers<riverslawyers@aol.com>
Date Wednesday, April 26th, 2023 at 1:56 PM



Do you think the executives at Netflix thought these certified mailers which contained my patent were even real when they received them?

WAIT!

Why I am sending certified mailers to anyone at Netflix?

I don't have anything to do with them and to even mention that I do is obviously delusional....

That is all. Good day!

Sent with [Proton Mail](#) secure email.

17.79 MB 3 files attached

Certified_Mailer_Images_3.pdf 17.23 MB

Netflix_3rd_Party_Filing_Form_ACCEPTED_BY_USPTO_.PDF 135.56 KB

Screencap_from_USPTO_EFS_Web_.pdf 445.47 KB

EMAIL PGP HEADER -

In-Reply-To: <hWhXloRHZK8ArxOckjy8kpPBDVv5NqguF25zsg4DYCB47rd7sArpkMr3IE8j-7oXZDMxZzYiGwPMOFeqAHq1pnjhJFB0RcDR7MIDm1ybQgY=@protonmail.com>
References: <hWhXloRHZK8ArxOckjy8kpPBDVv5NqguF25zsg4DYCB47rd7sArpkMr3IE8j-7oXZDMxZzYiGwPMOFeqAHq1pnjhJFB0RcDR7MIDm1ybQgY=@protonmail.com>
X-Pm-Origin: internal
X-Pm-Content-Encryption: on-compose
Subject: Re: Need help overcoming these very realistic "psychotic delusions" I still seem to be experiencing...
To: jill.rogstad@courts.state.mn.us <jill.rogstad@courts.state.mn.us>
Cc: Bruce Rivers <riverslawyers@aol.com>
From: Matt Guertin <MattGuertin@protonmail.com>
Date: Wed, 26 Apr 2023 18:56:01 +0000
Mime-Version: 1.0
Content-Type: text/html
X-Attached: Certified Mailer Images 3.pdf
X-Attached: Netflix 3rd Party Filing Form ACCEPTED BY USPTO .PDF
X-Attached: Screenshot from USPTO EFS Web .pdf
Message-Id: <JjK0rR9fx0IMzgAL-IACLM4_oJ3U3MHnZSCcly5X93h90FW-v0oOfj4VvylZcD4WmcOyDUK-Mk7tQYRnwxeLpAmlbpehrxH8wM5IQaB_Eqs=@protonmail.com>
X-Pm-Scheduled-Sent-Original-Time: Wed, 26 Apr 2023 18:55:41 +0000
X-Pm-Recipient-Authentication: jill.rogstad%40courts.state.mn.us=none;
riverslawyers%40aol.com=none
X-Pm-Recipient-Encryption: jill.rogstad%40courts.state.mn.us=none;
riverslawyers%40aol.com=none

State of Minnesota
Hennepin County

District Court
Fourth Judicial District
Probate/Mental Health Division

In the Matter of the Civil Commitment of:
Matthew David Guertin, Respondent

**EXAMINER'S REPORT FOR PROCEEDING FOR
COMMITMENT AS A PERSON WHO POSES A
RISK OF HARM DUE TO A MENTALLY ILLNESS**
(Minn. Stat. § 253B.02, subd. 13)

Matthew David Guertin

Respondent (DOB: 07/17/1981) Age: 42

Court File Number: **27-MH-PR-23-815**

1. Examiner's Name: Michael Robertson PsyD, LP

2. Date of Examination: **08/01/2023**

3. Location of Examination: HCGC video/phone interview:

2:30 MI: Exam 1: 160 162 2355 457186 :-: 3:30: Hon. Judge Gearin 160 121 9402 941267

4. Persons present at the examination:

Michael Biglow Resp/Def Atty; Lea De Souza Hosp/Hen Atty; Nadia Garavito

5. Documents reviewed:

Pre-petition Screening Report (PSR), Keith Moore, RN, 7/17/23

Forensic Evaluation Report, Rule 20.01, Jill Rogstad, PhD., LP, ABPP, 3/10/23

Findings of facts and Order regarding incompetency to proceed, Hon. M. Browne, 7/13/23

Copy of a Letter from California Psychiatrist Dr. Shuster, 4/7/23

Guertin HC Sheriff Forensic Exam Rpt #2 1.21.23

23-815 Guertin - photos of exterior, interior, person 1.21

Guertin Crystal PD Rpt 08-015226 7.15.08

Guertin HC Sheriff Forensic Exam Rpt #1 1.21.23

Email with photos directly from Mr. Guertin on 8/4/2023 around 12Noon.

Records from: Hennepin County Adult Detention Center.



6. Time spent interviewing Respondent: 45 minutes

7. What was the Respondent's level of cooperation with the examination?

The respondent was cooperative and pleasant. He responded to all the interview questions. He appeared on from tele-video connections from a relatives home but within a room which was appeared to be a multimedia center and included what appeared to be many computer monitors. He described numerous events with rational and logic explanations but through the exam is speech and was often mildly rapid, mildly pressured and constantly involved Mr. Guertin inserting extraneous detail and unnecessary elaborations as if they might be relevant to answering the questions. Early on the undersigned began to interrupt his descriptions and redirect him to try to not add all the extra unnecessary details. He was unable to easily or quickly get the point of most of the exam questions but with regular prompting and re-direction he was able to provide more relevant information. Mr. Guertin's extraneous detail and tangents were notable in that they typically and repeatedly included numerous self-aggrandizing references to his many sophisticated projects and the prestige, notoriety and fame within his area of expertise. He references being CEO and various projects such as one in Vietnam and another Saudia Arabia where he displayed some sort of system he reportedly developed and engineered. He spent much more time detailing his various acclaims and accomplishments, with fragmented and rapid descriptions which were difficult to understand, due to his fragmented and rapid descriptions, which were disjointed. Beyond his hypomanic to manic presentation, there was no evidence of overt symptoms of psychosis or delusions, unless his various descriptions of his hugely successful and sought after patent, turns out to be a delusion itself, but there was no current evidence provided which would suggest any of Mr. Guertins' claims of his engineering prowess and development are false.

Mr. Guertin essentially described he had filed a patent for a program and or something he developed, and he began to believe that through the use of "AI", these large software companies (such as Netflix and others) were conspiring to

Court File Number: **27-MH-PR-23-815**

steal his “program” he described he connected the dots to realize what they were doing and reported he shot his firearm off to get the police to come to his home. When asked why he did not simply call the police on the phone he reported that he thought they were monitoring his electronic through AI.

He reports a history of problematic substance abuse which no longer exists. He described that since 2016 he has been taking two different medications, reporting that for several years the dosages have been Adderall ~~xx~~mg per day and Klonopin ~~xx~~ mg as needed. He denied the possibility that his Adderall or Klonopin use might have contributed to his symptoms at the time police were called to his home. He reported he was incarcerated for several days and released to the community and for the last 7 months has been living in the community. He reported that he sees Dr. Schuster via tele-video for psychiatric follow-up and saw Dr. Schuster over a tele-video appointment a couple weeks ago.¹

8. Was the Respondent told that the examination was part of the judicial commitment process; that the examiner would be making a diagnosis and treatment recommendation to the Court; and that the information Respondent divulged in the interview was not confidential and could be disclosed in Court as part of the commitment proceedings.

☒ **Yes** ☐ **No** ☐ **Not Applicable** (e.g., report completed from records)

ANSWER THE FOLLOWING QUESTIONS BASED UPON A REASONABLE DEGREE OF PSYCHOLOGICAL CERTAINTY:

9. Summary of relevant psychiatric history:

10. DSM-5 diagnosis:	Unspecified Schizophrenia Spectrum and Other Psychotic Disorder (primary).
A. Per Med Records:	Forensic Evaluation Report, Rule 20.01, Jill Rogstad, PhD., LP, ABPP
B. Per the examiner:	Unspecified Schizophrenia Spectrum and Other Psychotic Disorder (primary), versus Medication induced bipolar disorder versus Stimulant use disorder (prescribed stimulants-Adderall).

11. Respondent suffers from ☐ an organic disorder of the brain or ☒ substantial psychiatric disorder? ☒ **Yes** ☐ **No**

12. Respondent’s disorder manifests by instances of grossly disturbed behavior or faulty perception? ☒ **Yes** ☐ **No**

13. The specific facts that support your opinion (including the specific facts that support your opinion):

- A. ☒ Thought -highly distractible; prominent delusional beliefs that include persecutory & referential themes
- B. ☒ Mood - mood-related disorder, namely mania or hypomania,
- C. ☒ Perception - Mr. Guertin’s delusional beliefs are inextricably linked to his perceptions and they obstruct his ability to apply knowledge in a a rational manner devoid of delusional reasoning
- D. ☐ Orientation - grossly intact
- E. ☒ Memory - grossly intact intermittently impaired by delusional reasoning and impaired insight

14. Does Respondent’s disorder grossly impair (including the specific facts that support your opinion):

- A. ☒ Judgment - Same as “C. Perceptions above”
- B. ☒ Behavior - Dangerous Weapons-Reckless Discharge of Firearm Within a Municipality (FEL), (multiple others)
- C. ☒ Capacity to recognize reality- Same as “C. Perceptions above”
- D. ☒ Capacity to reason or understand – Same as “C. Perceptions above”

15. Does Respondent’s disorder pose a substantial likelihood of physical harm to self or others? ☒ **Yes** ☐ **No**

As a result of the impairment the Respondent:

- A. failed to obtain necessary food, clothing, shelter, or medical care? ☐ **Yes** ☒ **No**
- B. has an inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care and it is more probable than not that the Respondent will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness, unless appropriate treatment and services are provided? ☒ **Yes** ☐ **No**
- C. Respondent made a recent attempt or threat to physically harm self or others? ☒ **Yes** ☐ **No**

¹ When telehealth is used, it is considered to be rendered at the physical location of the patient, and therefore a provider typically needs to be licensed in the patient’s state. A few states have licenses or telehealth specific exceptions that allow an out-of-state provider to render service and to prescribe.

16. If “yes” to A, B, or C describe: Court File Number: **27-MH-PR-23-815**

27-CR-23-1886 ; Dangerous Weapons-Reckless Discharge of Firearm Within a Municipality on or about January 21, 2023, in Hennepin County, Minnesota, MATTHEW DAVID GUERTIN recklessly discharged a firearm within a municipality... .. Upon arriving in the area officers heard shots and were able to confirm where the apartment shots were coming from, and that the occupant of the apartment was MATTHEW DAVID GUERTIN, dob 7/17/1981, "Defendant" herein. Defendant was yelling "I'm going to die because they stole my patent" and repeatedly yelled a Minnetonka Police Department case number. Defendant spoke with a negotiator and after some time threw two firearms out of the window: an automatic rifle and a pistol in a case. Defendant eventually came out of the apartment and was placed under arrest. In a post-Miranda statement Defendant reported

Dr. Rogstad testified that misuse of Adderall could account for some of Mr. Guertin's symptoms... ..Despite reporting this possibility, Dr. Rogstad opines Mr. Guertin is not competent.

4/7/23 copy of a Letter from California Psychiatrist Dr. Shuster, (provided by the respondent): I reviewed the letter (April 7 2023) from Dr. Schuster, with an odd type-set change from page one to page two, and see that Dr. Schuster confirms "There have been times in recent months that he verbalized concerns about his being 'scrutinized' and maybe sabotaged by enterprises in the scale of Microsoft and Netflix" Dr. Shuster also asserted "In summary. Mr. Guertin is not at risk of harming anyone."

17. Is the impairment solely due to epilepsy; developmental disability; brief periods of intoxication caused by alcohol, drugs, or other mind-altering substances; or dependence upon or addiction to any alcohol, drugs, or other mind-altering substances? ☐ Yes ☒ No

18. Will Respondent agree to participate in that treatment voluntarily? ☐ Yes ☒ No

19. Do you believe that Respondent will follow through with treatment on a voluntary basis? ☐ Yes ☒ No
Why or why not?

No the respondent does not believe he has a mental illness or symptoms of a mental illness. He believes he has ADHD and some OCD related symptoms and anxiety. He does not believe he needs oversight or treatment and he believes that since he has been living in the community for several months without close oversight or additional mental health interventions, that he does not require any oversight or treatment.

20. Would a guardianship/conservatorship be an appropriate alternative to commitment? ☐ Yes ☒ No

21. What is the least restrictive, appropriate treatment for Respondent and why?

Whether due to an underlying independent schizophrenic and or psychotic spectrum disorder or to a psychotic spectrum disorder that is substance induced, it seems more likely than not that Mr. Guertin's current symptoms of serious mental illness will continue if not treated. Mr. Guertin symptoms will likely intermittently become more acute and contribute to symptoms which more substantially impair his perceptions, reasoning, and behaviors – and pose a substantial risk to harm self and others without treatment. Therefore, without the ability to differentiate or resolve Mr. Guertin's mental health diagnosis with more clarity due to the confounding from his prescribed medications, the undersigned opines that Mr. Guertin meets criteria for civil commitment as person with a serious mental illness.

In the undersigned's opinion, the Respondent does not have adequate appreciation or insight to appraise or notice the functional impact (e.g., cognitive, perceptual, emotional, behavioral) of their symptoms of mental illness, their need for treatment, the risks their symptoms pose to self and others; this impairs the Respondent's decisional capacity related to major treatment decisions pertaining to the Respondent's mental illness and or substance use disorder, including medications.

The undersigned would suggest/recommend a voluntary trial period (an evaluation period) of 6 months without the current class of medications (i.e., stimulant and benzodiazepines), and a method to verify or corroborate the absence of the substances such as UDS and re-evaluation – (this is simply a suggestion and would be up to the respondent and the treatment team to determine if this might be agreeable). However, considering that a more definitive opinion is expected, the following is my opinion.

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In the undersigned's opinion less restrictive alternatives may be available and appropriate, the undersigned suggest others might consider the following issues to be considered as part of any possible agreement to less restrictive alternatives. Such as **if**

- a)** the Respondent's symptoms continue to resolve/improve and stabilize,
 - b)** recommended supportive services such as case management, psychiatric management, other needed treatments (e.g., CD, individual counseling, independent psychiatric evaluation of psychiatric medications and need for them, etc.) housing, and supportive treatment plan can be agreed upon,
 - c)** the Respondent demonstrates substantial engagement with and adherence to an agreed upon treatment plan,
 - d)** the Respondent agrees to voluntarily follow-through with the agreed-upon treatment options,
 - e)** the Respondent has a reasonable likelihood of being able to voluntarily follow-through.
 - f)** specifically, there is an agreed upon, time-limited plan regarding use of firearms, and purchasing or access to, etc.
 - g)** agreement as to whether there is benefit of the back-up of court oversight were he to drift from the treatment plan.
- If any of "a, b, c and d, e f and g", cannot be reasonably agreed upon or do not appear likely the respondent will be able to or willing to adhere to the agreements, the undersigned would support full civil commitment as Mentally ill, with substantial concerns for chemical dependency.

The Respondent is diagnosed with (*Unspecified Schizophrenia Spectrum and Other Psychotic Disorder (primary), versus Medication induced bipolar disorder versus Stimulant use disorder (prescribed stimulants- Adderall)*) which is or includes an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which is manifested by instances of grossly disturbed behavior or faulty perceptions and poses a substantial likelihood of physical harm to self or others. For example: in the Forensic Evaluation Report, (March 2023, by Jill Rogstad, PhD., LP, ABPP) And the during testimony pertaining to the competency hearing, as outlined in the Findings of facts and Order regarding incompetency to proceed, overseen by the Honorable Judge, Michael Browne, (July 2023) there was substantial evidence for ongoing flight of ideas, and either hypomania or mania in Mr. Guertin's presentation, consistent with ongoing serious mental illness. Moreover, during the current exam, there was evidence for ongoing hypomania to mania and substantially distorted thought processes which verge of delusional, though remained within logical and rational limits during the exam. Separately regarding the letter from Dr. Schuster. The letter is a very nice clinical letter and helps maintain the Doctor/patient clinical relationship, Dr. Schuster has with his patient, Mr. Guertin. Although Dr. Schuster appears to have been provided with a copy of Dr. Rogstad's Forensic report (March 2023), it is somewhat concerning and surprising that Dr. Schuster as the prescribing provider of two controlled substances to the respondent, did not comment on the well-known adverse psychotic-spectrum side effects to the medications he is prescribing, particularly when there is credible evidence of psychotic-spectrum symptoms (i.e., a well-credentialed and regarded forensic psychologist's report to the court – Dr. Rogstad's report). the undersigned would expect most psychiatrist with such information would take step to mitigate their patients risks to psychotic spectrum events due to medications and take steps to mitigate their own liability in prescribing these medications, after being informed of these types of events (maybe this was done separately). Dr. Schuster, is not in the role of properly evaluating this situation and did not appear to have access to all the available information to formulate his conclusion. For example, were he to have seen the extensive, hypergraphia-like, writing on Mr. Guertin's apartment walls (some patients with schizophrenic spectrum symptoms evidence hypergraphia), which include paranoid self-reminders and descriptions which clearly convey that Mr. Guertin was frightened, distressed, and believed large enterprises such as "Microsoft and Netflix", were using Artificial Intelligence (AI) and had infiltrated his home electronics and he was being conspired against and risked to being harmed due to the revolutionary software patent he developed; the writing on the apartment walls and similar writing on his body (noted when he was booked into the jail) suggest Mr. Guertin knew or believed that he was unable to rely on his own mental status and wrote reminders to himself and/or possibly messages to others in the case he might have been harmed and his patent stolen. Regardless, his inflexible beliefs are conveyed in the writing, Dr. Rogstad's evaluation, and during the current exam and consistently indicate he held paranoid, grandiose, and delusional beliefs which substantially impaired his perceptions, reasoning, and behaviors, even if there were some elements of the history based in fact.

Mr. Guertin's conclusion (which he described during the exam, were based on his "connecting all the dots") and belief that these large companies might specifically know about his revolutionary and highly sought software, is plausible if he actually had developed this, and still it is somewhat grandiose to believe these companies know about his patent, without any evidence. Mr. Guertin's conclusion that these large companies would try to steal his revolutionary patent,

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is also plausible yet rather grandiose to conclude these companies would engage in clandestine illegal activity using AI, to steal his patent rather than simply approach him to purchase it. Mr. Guertin's conclusion, claim, or belief he needed to fire-off a firearm(s) within the city from his apartment to alert the police, is a frightening conclusion and belief which evidences the degree to which he held paranoid, grandiose, and delusional beliefs which substantially impaired his perceptions, reasoning, and behaviors, even if there were some elements of the history based in fact. The veracity of Mr. Guertin's explanation for firing off the fire-arm, is at least questionable. Whichever thought processes and events led Mr. Guertin to fire-off the firearm several times, they appear far more likely than not to indicate he held paranoid, grandiose, and delusional beliefs which substantially impaired his perceptions, reasoning, and behaviors, even if there were some elements of the history based in fact. He could have easily walked to the police station if he did not trust his home electronics and the phone lines. He now admits his decision was a reflection of poor judgment and emphasizes he had not intended to harm others. The problem is that his delusional beliefs substantially impaired his perceptions, reasoning, and behaviors, and influenced him to take these extreme and dangerous actions because he was unable to differentiate what was real or not real at the time; this poses a substantial risk to harm self and others.

Whether his delusional thought processes were aggravated by substance misuse/abuse or an independent psychotic spectrum disorder is less clear. During the exam he presented as hypomanic to manic and reportedly continues to be prescribed and take xx mg of Adderall per day, which substance is well-known to induce clinically significant symptoms consistent with hypo-mania and mania in some patients; it is also a controlled substance, precisely because of its potential for misuse, abuse, and risk to harm. If Mr. Guertin's hypomanic to manic symptoms and delusional beliefs which substantially impair his perceptions, reasoning, and behaviors, are substance induced (or prescription substance induced – i.e., iatrogenic) then there are likely simple interventions to treat and resolve these symptoms which would very effectively mitigate his risks to harm. For example, discontinuation of the class of prescribed substances known to contribute psychotic spectrum symptoms specifically Adderall and Klonopin (both abuse and withdrawal from each can contribute to severe distress, agitation, and distorted and psychotic thinking). However, if Mr. Guertin's hypomanic to manic symptoms and delusional beliefs which substantially impair his perceptions, reasoning, and behaviors represent an independent schizophrenic and/or psychotic spectrum disorder, the treatment interventions of choice initially include but are not limited to antipsychotic medications and/or a mood stabilizer if there is stronger suspicion of a bipolar affective disorder. Notably, there is substantial evidence that Mr. Guertin's underlying symptoms of a serious mental illness persist, though they appear to have recently remained attenuated, regardless of the cause.

Capacity to Waive Rights Based on the information in the records and the interview, the Respondent appeared to have an adequate understanding of situation the choices available to him/her to waive his/her right to a trial in this matter and enter into treatment agreements with defense attorney assistance.



Michael Robertson PsyD, LP

(Exam Date: 8/1/23)

Report Date: 08/04/2023

253B.02 Subd. 13. A "person who is mentally ill poses a risk of harm due to a mental illness" means any person who has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which that grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which that is manifested by instances of grossly disturbed behavior or faulty perceptions and who, due to this impairment, poses a substantial likelihood of physical harm to self or others as demonstrated by: (1) a failure to obtain necessary food, clothing, shelter, or medical care as a result of the impairment; (2) an inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care as a result of the impairment and it is more probable than not that the person will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness, unless appropriate treatment and services are provided; (3) a recent attempt or threat to physically harm self or others; or (4) recent and volitional conduct involving significant damage to substantial property.

ADDITIONAL NOTES

Case Details (Register of Actions)

Search executed on 03/29/2024 05:05 PM

MINNESOTA
JUDICIAL BRANCH
MINNESOTA COURT RECORDS ONLINE (MCRO)

Case Information

Case Number: 27-CR-23-1886
 Case Title: State of Minnesota vs MATTHEW DAVID GUERTIN
 Case Type: Crim/Traf Mandatory
 Date Filed: 01/24/2023
 Case Location: Hennepin County, Hennepin Criminal Downtown
 Judicial Officer: Quam, Jay
 Case Status: Dormant

Related Cases

27-MH-PR-23-815



Party Information

Jurisdiction

State of Minnesota

Attorneys Active

- PEREZ, JACQUELINE - Lead Attorney
- ARNESON, THOMAS STUART
- PROCHAZKA, THOMAS JAMES

Defendant

GUERTIN, MATTHEW DAVID
 DOB: 07/17/1981
 Plymouth, MN 55442

Attorneys Active

- RIVERS, BRUCE MICHAEL - Lead Attorney

Case Events

01/17/2024	Finding of Incompetency and Order Judicial Officer: Mercurio, Danielle Index #25	4 pages
01/16/2024	Notice of Remote Hearing with Instructions Index #26	2 pages
01/16/2024	Found Incompetent Judicial Officer: Mercurio, Danielle	
01/16/2024	Waiver of Appearance Index #24	
01/11/2024	Rule 20 Evaluation Report Index #23	
01/11/2024	Rule 20 Report Distributed	
01/05/2024	Demand or Request for Discovery Index #22	1 page
11/15/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Dayton Klein, Julia Index #21	2 pages

Committee Members | Hennepin County Criminal Justice Coordinating Committee

Committee Members



Committee members

Chair

Jeffrey Lunde, Commissioner, Hennepin County

Vice Chair

Eric Werner, Chief, Maple Grove Police Department

Hennepin County

Jeffrey Lunde, Commissioner

Mary Moriarty, County Attorney

Marion Greene, Commissioner

Dawanna Witt, Sheriff

Chela Guzman-Wiegert, Assistant County Administrator

Michael Berger, Chief Public Defender

Leah Kaiser, Director Behavioral Health & Justice Strategies

Catherine Johnson, Director Community Corrections & Rehabilitation

City of Minneapolis

Jacob Frey, Mayor

Brian O'Hara, Police Chief

Michael Rainville, Council Member

Robin Wonsley, Council Member

Kristyn Anderson, City Attorney

Fourth Judicial District Court

Kerry Meyer, Chief Judge

Todd Fellman, Juvenile Court Presiding Judge

Hilary Caligiuri, Criminal Court Presiding Judge

Sara Gonsalves, Judicial District Administrator

Hennepin County Suburbs and Specialty Law Enforcement

Nikki Appelbaum, Suburban Prosecutors Association

Jason Nelson, Hennepin Police Chiefs Association

Tim Busse, Mayor, City of Bloomington

Eric Werner, Chief, Maple Grove Police Department

Julie Maas-Kusske, Mayor, City of Maple Plain

Specialty Law Enforcement

<https://www.hennepin.us/cjcc/members>

Office of the county administrator | Hennepin County**Chela Guzman-Wiegert****Assistant County Administrator – Law, Safety, and Justice**

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The assistant county administrator of Law, Safety and Justice is responsible for advising the county board and county administrator on policies and issues related to and involving the Hennepin County justice partners. This position oversees the strategic and fiscal management of the Adult Representation Services, Community Corrections, and Law, Safety and Justice Information Technology areas. The assistant county administrator also serves as county administration's liaison to the Fourth Judicial District Court, the County Attorney's Office, the Public Defender's Office, and the Sheriff's Office.

Lisa Cerney**Assistant County Administrator – Public Works**

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The assistant county administrator for Public Works is responsible for advising the county board and county administrator on policies and issues and ensuring coordination among Public Works departments, public and private agencies, community organizations and partnerships. The assistant county administrator also serves as deputy executive director of the Hennepin County Regional Railroad Authority and the Hennepin County Housing and Redevelopment Authority.

Appointed officials

State law requires the county to appoint qualified individuals to fill certain roles.

- Assessor: Joshua R. Hoogland
- Auditor: Daniel Rogan
- Chief Medical Examiner: Andrew M. Baker, M.D.
- Highway Engineer: Carla Stueve
- Chief Public Defender: Vacant
- Examiner of Titles: Susan Ledray

<https://www.hennepin.us/your-government/leadership/county-administrator>