

**STATE OF MINNESOTA
COUNTY OF HENNEPIN****DISTRICT COURT
FOURTH JUDICIAL DISTRICT**

State of Minnesota,

Court File No. : 27-CR-23-1886

Plaintiff,

vs.

Matthew David Guertin,

Defendant.

**EXHIBT T
STATE V SANDRA
VONGSAPHY | 27-CR-23-2480**

Judicial Officer: Sarah Hudelston

TO: THE HONORABLE SARAH HUDLESTON, JUDGE OF DISTRICT COURT;
MARY F. MORIARTY, HENNEPIN COUNTY ATTORNEY; AND
MAWERDI HAMID, ASSISTANT HENNEPIN COUNTY ATTORNEY

**SYNTHETIC JUDICIAL SYSTEM EXPOSED
AI-DRIVEN DOCKET SIMULATIONS AND PSYCHIATRIC
DISPOSAL WITHIN THE 4TH JUDICIAL DISTRICT COURT**



MINNESOTA
JUDICIAL BRANCH
MINNESOTA COURT RECORDS ONLINE (MCRO)

Case Details (Register of Actions)**27-CR-23-2480**

Search executed on 04/29/2024 06:02 PM

Upcoming Hearing:Review Hearing on **10/01/2024 at 1:30 PM****Case Information****Case Number:** 27-CR-23-2480**Case Title:** State of Minnesota vs Sandra Vongsaphay**Case Type:** Crim/Traf Mandatory**Date Filed:** 02/01/2023**Case Location:** Hennepin County, Hennepin Criminal Downtown**Judicial Officer:** Burdorf, Jean**Case Status:** Dormant**Party Information****Jurisdiction**

State of Minnesota

Attorneys Active

- MANEWITZ, THOMAS FRANKLIN - Lead Attorney
- ARNESON, THOMAS STUART
- COLE, JUDITH L

Defendant**Vongsaphay, Sandra** Active Warrant

DOB: 01/01/1981

MINNEAPOLIS, MN 55404-1601

Attorneys Active

- Irfanullah, Christine - Lead Attorney
- Herlofsky, Susan
- KHAN, ATIF AHMED

Attorneys Inactive

- GRANSE, ALICIA LYNN

Warrants**Inactive Warrants**

Vongsaphay, Sandra Bench Warrant-fail to appear at a hearing

Judicial Officer: Dayton Klein, Julia

02/26/2024 10:41 AM Status: Warrant Cleared by Wt Office

09/12/2023 01:30 PM Status: Issued Active

Bond/Bail Options

Bond or Cash Bail

Amount: \$0.00

Charges

- 1** Burglary-2nd Degree-Dwelling **Statute:** 609.582.2(a)(1)

Additional Statute: Burglary-2nd Degree - Penalty (609.582.2(a))

Level of Charge: Felony

Offense Date: 01/30/2023

Community Of Offense: Brooklyn Park

Law Enforcement Agency: Brooklyn Park Police Department

Prosecuting Agency: Hennepin County Attorney
- 2** Financial Transaction Card Fraud-Use-No Consent **Statute:** 609.821.2(1)

Additional Statute: Finance Trans Card Fraud-Val \$250 or less (609.821.3(a)(1)(v))

Level of Charge: Gross Misdemeanor

Offense Date: 01/30/2023

Community Of Offense: Brooklyn Park

Law Enforcement Agency: Brooklyn Park Police Department

Prosecuting Agency: Hennepin County Attorney

Interim Conditions

- 04/26/2024** **Interim conditions for Vongsaphay, Sandra**
Judicial Officer: Olson, Joel
- Conditions, other
 - Post Bail or Bond with No Conditions
\$40,000.00
 - Release with Conditions
\$0.00
 - Remain law-abiding
 - No contact with alleged victim(s)
 - Stay a reasonable distance away from victim's residence
 - No alcohol/controlled substance use
- 03/21/2023** **Interim conditions for Vongsaphay, Sandra**
Judicial Officer: Borer, George
Expiration Date: 02/27/2024
- Stay a reasonable distance away from victim's residence
 - No contact with victim(s)
 - Remain law-abiding
 - Make all future court appearances
 - Post Bail or Bond with No Conditions
\$40,000.00
 - Conditions, other
 - No alcohol/controlled substance use
 - Release with Conditions
\$0.00
- 02/02/2023** **Interim conditions for Vongsaphay, Sandra**
Judicial Officer: Allyn, Julie
Expiration Date: 03/21/2023

- Post Bail or Bond with Conditions
\$15,000.00
- Stay a reasonable distance away from victim's residence
- No contact with victim(s)
- Remain law-abiding
- Make all future court appearances
- Post Bail or Bond with No Conditions
\$40,000.00
- Contact with probation
- Follow all instructions of probation
- Conditions, other
- No alcohol/controlled substance use
- Random testing

02/01/2023

Interim conditions for Vongsaphay, Sandra

Judicial Officer: Brandt, Gina M.

Expiration Date: 02/02/2023

- Post Bail or Bond with Conditions
\$40,000.00
- Stay a reasonable distance away from victim's residence
- No contact with victim(s)
- Remain law-abiding
- Make all future court appearances

Case Assignments

Current Case Assignment

Judicial Assignment: Burdorf, Jean

Date of Assignment: 11/03/2023

Prior Case Assignments

Judicial Assignment: Allyn, Julie

Date of Assignment: 02/02/2023

Reassignment Reason: Reassigned

Date of Assignment: 02/01/2023

Reassignment Reason: Initial Assignment

Case Events

04/26/2024

Order for Conditional Release

Judicial Officer: Olson, Joel

Index #32






04/12/2024







Correspondence


Index #31



1 page

04/12/2024	Correspondence Index #30		2 pages
04/04/2024	Finding of Incompetency and Order Judicial Officer: Browne, Michael K Index #27		5 pages
04/02/2024	Notice of Remote Hearing with Instructions Index #29		2 pages
04/02/2024	Bail to stand as previously ordered		
04/02/2024	Motion Judicial Officer: Dayton Klein, Julia Party: Attorney Irfanullah, Christine Index #28		
04/02/2024	Found Incompetent Judicial Officer: Dayton Klein, Julia		
04/02/2024	Hearing Held Remote		
03/29/2024	Rule 20 Report Distributed		
03/29/2024	Rule 20 Evaluation Report Index #26		
02/27/2024	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Kappelhoff, Mark Index #25		2 pages
02/27/2024	Probable Cause Found		
02/27/2024	Hearing Held In-Person		
02/26/2024	Warrant Cleared by Wt Office		
11/03/2023	Notice of Case Reassignment Judicial Officer: Burdorf, Jean Index #22		1 page
09/12/2023	Warrant Issued Index #21		
09/12/2023	Fail to Appear at a hearing Party: Defendant Vongsaphay, Sandra		
09/12/2023	Hearing Held Remote		

09/01/2023	Rule 20 Progress Report Index #19	
08/31/2023	Returned Mail Index #20	 <i>1 page</i>
07/12/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Browne, Michael K Index #18	 <i>2 pages</i>
07/11/2023	Notice of Remote Hearing with Instructions Index #17	 <i>2 pages</i>
07/11/2023	Waiver of Appearance Index #16	
05/12/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Dayton Klein, Julia Index #15	 <i>2 pages</i>
03/21/2023	Order for Conditional Release Judicial Officer: Borer, George Index #14	
03/21/2023	Motion Judicial Officer: Borer, George Party: Attorney KHAN, ATIF AHMED Index #13	
03/21/2023	Hearing Held Remote	
03/16/2023	Notice of Intent to Prosecute Index #12	 <i>1 page</i>
03/08/2023	Finding of Incompetency and Order Judicial Officer: Dayton Klein, Julia Index #10	 <i>5 pages</i>
03/07/2023	Bail to stand as previously ordered	
03/07/2023	Motion Judicial Officer: Dayton Klein, Julia Party: Attorney Herlofsky, Susan Index #11	
03/07/2023	Found Incompetent Judicial Officer: Dayton Klein, Julia	
03/07/2023	Hearing Held Remote	

03/03/2023	Rule 20 Evaluation Report Index #9	
03/03/2023	Rule 20 Report Distributed	
02/17/2023	Demand or Request for Discovery Index #8	 6 pages
02/02/2023	Order-Evaluation for Competency to Proceed (Rule 20.01) Judicial Officer: Allyn, Julie Index #7	 2 pages
02/02/2023	Probable Cause Found	
02/02/2023	Order for Conditional Release Judicial Officer: Allyn, Julie Index #6	
02/02/2023	Statement of Rights Index #5	
02/02/2023	Order Granting Public Defender Judicial Officer: Allyn, Julie Index #4	
02/02/2023	Hearing Held In-Person	
02/02/2023	Identity Verified	
02/01/2023	Pretrial Release Evaluation Form Index #2	
02/01/2023	E-filed Comp-Order for Detention Index #1	 Unknown pages
01/31/2023	Application for Public Defender Index #3	

Hearings

Upcoming Hearings

10/01/2024 01:30 PM Review Hearing

Previous Hearings

04/11/2024 09:00 AM Omnibus Hearing
Judicial Officer: Burdorf, Jean
Location: GC-C1957
Cancelled; Other

04/02/2024	01:30 PM	Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559	Result: Held On the Record
02/27/2024	01:30 PM	Hearing Judicial Officer: Kappelhoff, Mark Location: PSF 142	Result: Held On the Record
09/12/2023	01:30 PM	Review Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559	Result: Held On the Record
07/11/2023	01:30 PM	Review Hearing Judicial Officer: Mercurio, Danielle Location: GC-C556 Cancelled; Other Date Updated: 05/11/2023 Reset by Court to 07/11/2023 01:30 PM - Other Original Hearing Date: 09/05/2023 01:30 PM	
03/21/2023	01:30 PM	Bail Hearing Judicial Officer: Borer, George Location: GC-C456	Result: Held On the Record
03/13/2023	10:00 AM	Omnibus Hearing Judicial Officer: Allyn, Julie Location: GC-C653 Cancelled; Other	
03/07/2023	01:30 PM	Hearing Judicial Officer: Dayton Klein, Julia Location: GC-C559	Result: Held On the Record
02/02/2023	01:30 PM	First Appearance Judicial Officer: Allyn, Julie Location: PSF 141	Result: Held On the Record

Search executed on 04/29/2024 06:02 PM

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 23A01159
Court File No. 27-CR-23-2480

State of Minnesota,

Plaintiff,

vs.

SANDRA VONGSAPHAY DOB: 01/01/1981

NPA

Defendant.

COMPLAINT

Order of Detention

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Burglary-2nd Degree-Dwelling

Minnesota Statute: 609.582.2(a)(1), with reference to: 609.582.2(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 01/30/2023

Control #(ICR#): 23003863

Charge Description: That on or about 1/30/2023, in Hennepin County, Minnesota, SANDRA VONGSAPHAY, either directly or as an accomplice, entered a dwelling without consent, and with intent to commit a crime or committed a crime, while in the building.

COUNT II

Charge: Financial Transaction Card Fraud-Use-No Consent

Minnesota Statute: 609.821.2(1), with reference to: 609.821.3(a)(1)(v)

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/30/2023

Control #(ICR#): 23003863

Charge Description: That on or about 1/30/2023, in Hennepin County, Minnesota, SANDRA VONGSAPHAY used or attempted to use a financial transaction card to obtain property of another or a public assistance benefit issued for the use of another, without the consent of the cardholder, knowing that the cardholder had not given consent, and the property had a total value of less than Two Hundred and Fifty Dollars (\$250.00).

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On January 30, 2023, officers from the Brooklyn Park Police Department were dispatched to an unwanted person call at 6000 65th Ave North. Upon arrival, officers contacted the female, later identified as SANDRA VONGSAPHAY, DOB 1/01/1981, Defendant herein.

Defendant informed officers that she lived in Apartment 155 but was locked out of the apartment. Officers asked Defendant for ID, Defendant presented a Chase Bank card with cardholder name initials of A.K. Officers noted that the signature on the bank card indicated the name on the card was Defendant's name. A.K. was later identified as the renter of apartment 155, Victim herein. Because Defendant could not prove she lived in the building, Defendant was trespassed from the building and the scene was cleared.

Officers we dispatched approximately six minutes later to a call at 6020 65th Ave North after the caller indicated that security had kicked her out of another building. Upon entry, officers again came across Defendant. Defendant had in her possession what appeared to be a key ring with an apartment fob, door key, and mailbox key on it. The mailbox key was used successfully. The officers then tested the door key on apartment 155 and noted that it did not work. Officers also noted that the doorknob had recently been replaced.

Officers checked the resident's name for apartment 155 and confirmed it was Victim. Officers called Victim, a male with an African accent, and Victim confirmed that he had a credit card and mailbox key stolen recently. Further conversation with Victim revealed that Victim had arranged for his sister to spend a couple of days in his apartment while he was away. His sister would return his keys by leaving the keys in the mailbox for him upon his return. He returned on January 6, and discovered that his keys were not in the mailbox. Victim gained access to his apartment on January 7, and discovered someone else had been inside. Several of his belongings had been moved around, and several additional items that did not belong to him were in the apartment.

Victim also noted that he keeps his Chase Amazon Card stored in his house, and he never uses it. Any balance on the card he noted is fraudulent. On January 2nd, Victim received an email asking him to confirm a purchase at Fast N Fresh for \$87.47 on the Amazon Chase Card.

Defendant had a large tote bag in their possession when arrested. Within the tote bag, officers located the Amazon Chase card, a suspected narcotics pipe, several receipts for declined card transactions, an additional bank card with Victim's name on it and Defendant's signature, a United Health Card with Victim's name on it, and several pieces of mail belonging to Victim.

Defendant gave a post Miranda Statement to an investigator, and Defendant admitted that she gained access to the apartment by using the keys she found in the mailbox, and that she acquired mail and credit cars while staying at the apartment alone.

Defendant is currently in custody.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Jason Buck
K-9 Officer
5400 85th Ave N
Brooklyn Park, MN 55443
Badge: 157

Electronically Signed:
02/01/2023 11:52 AM
Hennepin County, 16634

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Thomas Manewitz
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
02/01/2023 11:48 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☐ SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☒ ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$40,000.00

Conditions of Release: No Contact with Address; No Contact with Victim; Remain Law Abiding; Make All Appearances

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: February 1, 2023.

Judicial Officer

Gina Brandt
District Court Judge

Electronically Signed: 02/01/2023 11:53 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

SANDRA VONGSAPHAY

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent:

Name: SANDRA VONGSAPHAY
DOB: 01/01/1981
Address: NPA

Alias Names/DOB:

SID: MN14H03184

Height:

Weight:

Eye Color:

Hair Color:

Gender:

FEMALE

Race:

Asian

Fingerprints Required per Statute:

Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

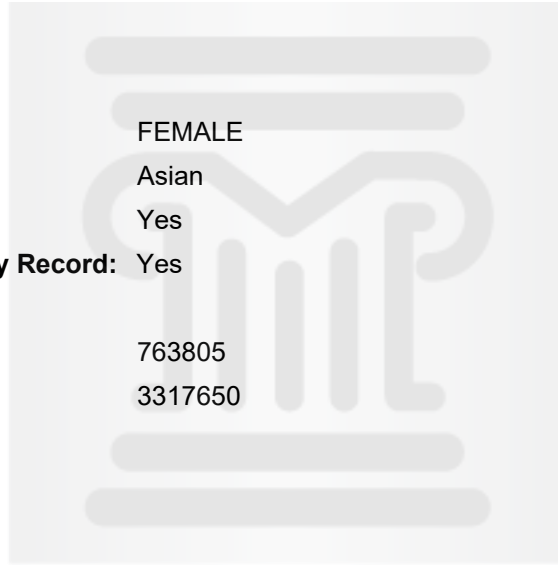
SILS Person ID #:

763805

SILS Tracking No.

3317650

Alcohol Concentration:

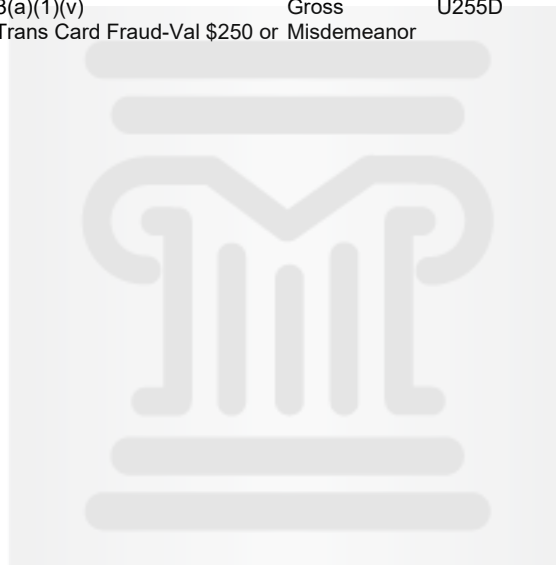


MINNESOTA
JUDICIAL
BRANCH

27-CR-23-1886
27-CR-23-2480
STATUTE AND OFFENSE GRID

Filed in District Court
State of Minnesota
4/26/2023 12:13 PM
27172023

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	1/30/2023	609.582.2(a)(1) Burglary-2nd Degree-Dwelling	Felony	B2434		MN0270300	23003863
	Penalty	1/30/2023	609.582.2(a) Burglary-2nd Degree - Penalty	Felony	B2434		MN0270300	23003863
2	Charge	1/30/2023	609.821.2(1) Financial Transaction Card Fraud-Use-No Consent	Gross Misdemeanor	U255D		MN0270300	23003863
	Penalty	1/30/2023	609.821.3(a)(1)(v) Finance Trans Card Fraud-Val \$250 or less	Gross Misdemeanor	U255D		MN0270300	23003863



MINNESOTA
JUDICIAL
BRANCH

**Filed in District Court
State of Minnesota****FEB 02 2023**

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,
Plaintiff,

v.

Sandra Vongsaphay,
Defendant.**Order to Fourth Judicial District Court
Psychological Services
27-CR-23-2480**

Defendant Information	
<input type="checkbox"/> Out of Custody <input checked="" type="checkbox"/> In Custody – at Facility: <u>PSF</u>	
Date of Birth: 01/01/1981	SILS Identifier: 763805
Phone: Home: 612-298-7805, Cell: 763-357-2817	
Email: realfamily2020@gmail.com	
Current Address: 6020 65th AVE N APT 159 Brooklyn Park MN 55429	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.
☐ The defendant is to be released upon completion of the interview process.
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)
☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
☐ Consultation (Pre-Sentence) _____
☐ Other (please specify) _____

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ALICIA LYNN GRANSE

Phone:

Prosecuting Attorney: THOMAS FRANKLIN MANEWITZ

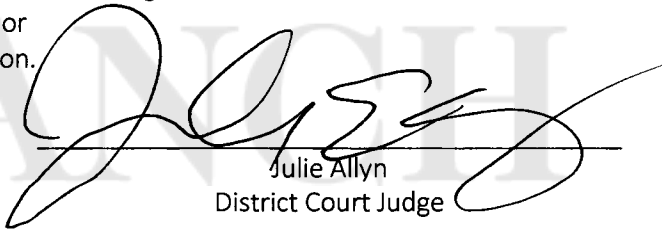
Phone: 612-348-6379

Phone:

3. The hearing for the return of the psychological evaluation will be held on March 07, 2023 at 1:30 PM.

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
 - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
 - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
 - b. May be mentally ill and dangerous, and
 - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
 - a. Presents an imminent risk of serious danger to another,
 - b. May be imminently suicidal, or
 - c. Needs emergency intervention.

Dated: February 2, 2023



Julie Allyn
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT - FELONY DIVISION
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

vs.

Sandra Vongsaphay,

Defendant,

)
) **DEMAND FOR PRESERVATION**
) **AND DISCLOSURE OF EVIDENCE,**
) **AND MOTION FOR SUPPRESSION**
) **AND OTHER RELIEF**

) **MNCIS No. 27-CR-23-2480**
)
)
)

* * *

Defendant, by and through counsel, hereby demands preservation of, disclosure of, and access to all evidence related to the case; moves the Court for the relief specified below; and demands a hearing on the same.

DEMAND FOR PRESERVATION AND DISCLOSURE OF EVIDENCE

Defendant demands that the State preserve all information and evidence within the reach of the disclosures required under Rule 9.01 of the Minnesota Rules of Criminal Procedure and applicable case law.

Defendant further demands that the State disclose all such information and evidence, and that it make all disclosures required by Rule 9.01 prior to the probable cause pretrial conference in this case.

Defendant demands access to all items subject to disclosure, and this access shall include, as appropriate, the opportunity to inspect, reproduce, photograph, test, interview, or otherwise document the matters disclosed.

These demands apply to:

1. **Investigative reports** prepared by state agents or employees in the investigation or evaluation of the case, together with the original notes of the arresting officers, if any.
2. **Statements**, as fully described in Rule 9.01, subd. 1(2). This request includes any written or recorded statement made by the Defendant or any alleged accomplice, regardless of when made, and the substance of any non-recorded oral statements by the Defendant or accomplices. This request includes recorded statements by any other

person and any written record containing the substance of statements by them, whether or not they are expected to be called at trial. This request includes statements made to any member of prosecution's staff, victim advocates, and any other person of which the government is aware or should be aware. State v. Adams, 555 N.W.2d 310 (Minn. App. 1996). It also includes disclosure of the fact that an interview with a witness took place, regardless of whether it was transcribed or whether written statements or written summaries were prepared. State v. Kaiser, 486 N.W.2d 384, 386-87 (Minn. 1992) This request also encompasses copies of recorded statements made pursuant to State v. Scales, 518 N.W.2d 587 (Minn. 1994) and any attempted recordings that for whatever alleged reason are inaudible or unavailable.

3. **Audio or video records** produced regarding this case, including squad video, 911 calls, radio runs, police radio communications, scout runs, police transport recordings, and record checks.
4. **Reports related to examinations, tests, or expert testimony**, as fully described in Rule 9.01, subd. 1(4). In addition to disclosure, Defendant also demands the in-person testimony of all analysts who performed tests the results of which the state intends to introduce into evidence at any hearing related to this case. Further, defendant hereby provides notice that he retains his right to cross-examine the analysts under State v. Caulfield, 722 N.W.2d 304, Minn. 2006.
5. **Documents and other tangible objects**, as fully described in Rule 9.01, subd. 1(3)
6. **Search warrants** obtained and executed regarding the case, including inventories and items seized.
7. **Identification procedures** including but not limited to lineups, show-up identifications, photo arrays, or the like, and details on the nature and circumstances of any and all identification procedures that become known to the government in the future.
8. **Witnesses and other persons**, as fully described in Rule 9.01, subd. 1(1).
9. **Conviction records** for all witnesses and other persons, as required to be disclosed under Rule 9.01, subd. 1(1).
10. **Prior convictions** of the Defendant or defense witnesses, to be provided as certified copies. In addition to disclosure, defendant also demands notice if the state intends to use a conviction to impeach any defense witness, including Defendant.

11. **Alleged but uncharged misconduct, prior bad acts, or relationship evidence** which the State intends to introduce at trial in this matter, disclosure to include police reports and any other documentation.
12. **Evidence related to an enhanced or aggravated sentence**, as identified in Rule 9.01, subd. 1(7). In addition to disclosure, defendant also demands notice if the state intends to seek an aggravated or enhanced sentence.
13. **Brady material**. i.e., any information that tends to negate or reduce the guilt of the accused, or which tends to mitigate punishment as to the offense charged. For the purposes of cross-examining State witnesses, this includes impeachment evidence as well as inducements offered to or accepted by a witness to be called by the State, whether the inducement was for the benefit of the witness or for the benefit of another, including but not limited to financial assistance, plea agreements, agreements not to prosecute, or any benefit or assistance of any kind whatsoever. Defendant demands the prosecutor's compliance with the duty to learn about Brady material, even if known only to police or others acting on the government's behalf in the case.

These requests encompass all information or evidence known to the prosecutor on this case personally or if known to any other prosecutor or law enforcement agent, as well as information and evidence about which the prosecutor on this case could acquire actual knowledge through the exercise of due diligence in responding to these inquiries.

Lastly, the defense demands disclosure of all audio or video files on CD ROM or DVD ROM disc, and demands that the state provide any and all software or other files necessary to open, view or play such disc(s).

This demand for preservation and disclosure, in its entirety, continues until final disposition of this case. It therefore encompasses any additional information subject to disclosure that becomes known to the State after the State has begun complying with discovery rules, orders or defense requests. Minn. R. Crim. P. 9.03, subd. 2;

MOTION TO COMPEL DISCLOSURE AND ACCESS

Defendant moves the Court for an Order requiring the State

- 1 To preserve all evidence and other matters subject to disclosure as herein demanded and as otherwise required by Minnesota Rule of Criminal Procedure 9.01.

- 2 To permit Defendant to have access to, inspect, reproduce, photograph, or otherwise document all disclosed items, as described in Minn. R. Crim. P 9.01, subd. 1 & subd. 1a(2).
- 3 To allow defendant to conduct reasonable tests or to provide notice and an opportunity for defense experts to observe the state's own tests if those tests preclude further tests or experiments, as described in Minn. R. Crim. P 9.01, subd. 1(4)(b).
- 4 To assist Defendant in seeking access to specified matters relating to the case which are within the possession or control of an official or employee of any governmental agency, but which are not within the control of the prosecuting attorney, as described in Minn. R. Crim. P. 9.01, subd 2(1).
- 5 For an Order directing the prosecuting attorney to identify and produce any informants who supplied or contributed information to the prosecution which led to the issuance of a Complaint against the Defendant on the grounds:
 - a. The privilege of non-disclosure of any informants must give way and disclosure of the identity of an informer is required where disclosure is essential or relevant and material, and helpful to the defense of an accused, or lessens the risk of false testimony, or is necessary to secure useful testimony, or is necessary to a fair determination of the cause; or
 - b. Disclosure is necessary as a means to afford this Defendant an opportunity to establish that if informants did exist, that the information supplied to the prosecutor by them was inaccurate or misrepresentative.

MOTION TO SUPPRESS EVIDENCE

Defendant moves the Court for an Order suppressing, particularly with respect to those items identified in the state's notice under Rule 7.01:

- 1 Any and all evidence obtained as a result of a stop, search, or seizure, on the ground that such evidence was obtained in violation of Defendant's constitutional and statutory protections against unreasonable searches and seizures.
- 2 Any and all confessions, admissions, or statements in the nature of confessions made by Defendant, together with any evidence obtained as a result thereof, on the grounds that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.

- 3 Any and all identifications of Defendant and evidence of identification procedures used during the investigation, together with any evidence obtained as a result of identification procedures used during the investigation, on the ground that any use of such evidence, in any manner, would be in violation of the Defendant's constitutional and statutory rights.

Defendant further moves this court for an order suppressing other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

MOTION TO EXCLUDE EVIDENCE

Defendant moves the Court for an Order restraining the prosecution from attempting to introduce at trial:

- 1 Evidence obtained as a result of stop, search, or seizure, confession or other statement by the Defendant, or identification procedures, as described above, on the grounds that the notices filed by the State are vague, ambiguous, and inspecific, all to the prejudice of the Defendant and contrary to the meaning of Minnesota R. Crim. P. 7.01.
- 2 Evidence that Defendant has been guilty of additional misconduct or crimes on other occasions, on the grounds that the state has not provided notice of its intent to use such evidence or, if it did, that such notice was not specific enough or failed to specify a particular exception to the general rule of exclusion. Defendant also moves for exclusion on the grounds that the evidence is not admissible under any exception to the general rule of exclusion, that such evidence is more prejudicial than probative, or that such evidence has not been proven to be clear and convincing.
- 3 Evidence, argument, or any other reference to prior convictions, if any, of the Defendant.
- 4 Any and all other evidence for which the State has failed to provide notice as required by the Minnesota Rules of Criminal Procedure

Defendant further moves this court for an order excluding other evidence or granting any relief that the court may require to ensure a fair and expeditious trial on this matter.

DEMAND FOR HEARING

Defendant hereby demands a contested hearing on the above motions, to be held as soon as practicable after the serving and filing hereof.

Respectfully submitted,

OFFICE OF THE HENNEPIN COUNTY PUBLIC DEFENDER
KASSIUS O. BENSON – CHIEF PUBLIC DEFENDER

By /s/
Laura Johnson
Attorney License No. 396046
Attorney for Defendant
701 Fourth Avenue South, Suite 1400
Minneapolis, MN 55415
Telephone: 612-348-8555

DATED: This 2nd day of February, 2023.

Filed in District Court
State of Minnesota
Mar 08, 2023 9:45 am**STATE OF MINNESOTA**
COUNTY OF HENNEPIN**DISTRICT COURT**
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Court File No. 27-CR-23-2480

Plaintiff,

vs.

Sandra Vongsaphay,

Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

This matter came before the undersigned Judge of District Court on March 7, 2023. The hearing was held remotely using the Zoom internet platform. Tom Arneson, Assistant Hennepin County Attorney, represented the plaintiff. Defendant appeared in custody and was represented by Susan Herlofsky, Assistant Hennepin County Public Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 01/01/1981) was charged in MNCIS file 27-CR-23-2480 with 2nd Degree Burglary (Felony) and Financial Transaction Card Fraud (Gross Misdemeanor) arising from an incident alleged to have occurred on 01/30/2023. On 02/02/2023, Judge Allyn found probable cause to believe that the offenses were committed and that Defendant committed them.
2. On 02/02/2022, Judge Allyn ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.
3. Dr. Gregory Hanson, Ph.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Gregory Hanson, Ph.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case including, but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten (10) days of the date of service.

Thomas Manewitz, Assistant Hennepin County Attorney – Criminal Division;

Alicia Granse, Assistant Hennepin County Public Defender

3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.
6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care, treatment, or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation

agencies; residential and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.

8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Psychological Services of Hennepin County District Court, or the Department of Human Services Forensic Evaluation Department if the defendant is civilly committed, shall have access to Defendant's treatment records to prepare the required report(s) on the defendant's mental condition with an opinion as to competency to proceed. By presentation of a copy of this order, whether mailed, sent electronically, discussed verbally, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, military, Social Security, employment, and educational records, to the agency requesting the records within 72 hours. This Order shall be sufficient to require an agency, department, entity, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility. Any of the defendant's records released pursuant to this order

may not be disclosed to any other person without court authorization or Defendant's signed consent.

12. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
13. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
14. In the event the Fourth Judicial District Court – Mental Health Division does not commit the Defendant, then the Defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
15. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is September 5, 2023. One week prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:
 - a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Alicia Granse, Assistant Hennepin County Public Defender;
 - c. Thomas Manewitz, Assistant Hennepin County Attorney;
 - d. Assistant Hennepin County Attorney's Office – Adult Services Division (if a commitment is ordered);

- e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:



Dayton Klein, Julia
Mar 7 2023 4:51 PM

Judge of District Court

MINNESOTA
JUDICIAL
BRANCH

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,
Plaintiff,

v.

Sandra Vongsaphay,
Defendant.

**Order to Fourth Judicial District Court
Psychological Services**

27-CR-23-2480

27-CR-21-5142; 27-CR-22-18824

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 01/01/1981	SILS Identifier: 763805
Phone: Home: 612-298-7805, Cell: 763-357-2817	
Email: realfamily2020@gmail.com	
Current Address: 6020 65th AVE N APT 159 Brooklyn Park MN 55429	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions: _____	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.
- ☐ The defendant is to be released upon completion of the interview process.
- ☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01
- ☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)
- ☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
- ☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
- ☐ Consultation (Pre-Sentence) _____
- ☐ Other (please specify) _____

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ALICIA LYNN GRANSE

Phone:

Prosecuting Attorney: THOMAS FRANKLIN MANEWITZ

Phone: 612-348-6379

Phone:

3. The hearing for the return of the psychological evaluation will be held on **July 11, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
 - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
 - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
 - b. May be mentally ill and dangerous, and
 - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
 - a. Presents an imminent risk of serious danger to another,
 - b. May be imminently suicidal, or
 - c. Needs emergency intervention.

Dated: May 11, 2023

Dayton Klein, Julia
May 12 2023 7:21 AM



Julia Dayton Klein
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**NOTICE OF INTENT TO PROSECUTE
IN SUSPENDED PROCEEDING
PURSUANT TO RULE 20.01**

vs.

Court Case No. 27-CR-23-2480

Sandra Vongsaphay

C.A. Case No. 23A01159

Defendant.

TO: THE COURT, DEFENDANT, AND GRANSE, ALICIA LYNN, ATTORNEY FOR
DEFENDANT.


NOTICE OF MOTION

PLEASE TAKE NOTICE that the State intends to prosecute this case, which has been
suspended due the Defendant being found incompetent on March 7, 2023.

This notice is filed pursuant to the requirements of Rule 20.01, subdivision 8, and extends
the suspension of the criminal proceedings in the above-entitled matter.

Respectfully submitted,

MARY F. MORIARTY
Hennepin County Attorney

 03/16/2023
Thomas Manewitz 0395509
Assistant County Attorney
C2100 Government Center
300 S 6th St
Minneapolis, MN 55487
Telephone: 612-348-6379

Filed in District Court
State of Minnesota
Jul 11, 2023 12:09 pmState of Minnesota
Hennepin CountyDistrict Court
Fourth Judicial District

Court File Number: 27-CR-21-5142; 27-CR-22-18824; 27-CR-23-2480 Case Type: Crim/Traf Mandatory
--

Notice of Remote Zoom Hearing**SANDRA VONGSAPHAY
740 EAST 17TH STREET
MINNEAPOLIS MN 55404**

State of Minnesota vs Sandra Vongsaphay

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
September 12, 2023 Review Hearing 1:30 PM

The hearing will be held via Zoom and appearance shall be by video unless otherwise directed with Judicial Officer Julia Dayton Klein, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



To join by internet:

1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:
Meeting ID: 160 223 0876
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

Para obtener más información y conocer las opciones para participar en audiencias remotas, incluido cómo enviar pruebas, visite www.mncourts.gov/Remote-Hearings.

Booqo www.mncourts.gov/Remote-Hearings oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

To receive an eReminder for future court dates via e-mail or text, visit www.mncourts.gov/Hearing-eReminders.aspx or scan the QR code to enroll.



Dated: July 11, 2023

Sara Gonsalves
Hennepin County Court Administrator
300 South Sixth Street
Minneapolis MN 55487-0419
612-348-2040

cc:

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,
Plaintiff,

v.

Sandra Vongsaphay,
Defendant.

**Order to Fourth Judicial District Court
Psychological Services**

27-CR-21-5142

27-CR-23-2480; 27-CR-22-18824

Defendant Information	
<input checked="" type="checkbox"/> Out of Custody <input type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 01/01/1981	SILS Identifier: 763805
Phone: Home: 612-471-9775, Work: 763-447-0061, Cell: 763-357-2817	
Email: realfamily2020@gmail.com	
Current Address: 740 East 17th Street Minneapolis MN 55404	
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions: _____	

It is hereby ordered:

- ☐ For felony and gross misdemeanor cases, probable cause has been found.
- ☐ The defendant is to be released upon completion of the interview process.
- ☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01
- ☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)
- ☐ Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
- ☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
- ☐ Consultation (Pre-Sentence) _____
- ☐ Other (please specify) _____

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ALICIA LYNN GRANSE

Phone:

Prosecuting Attorney: MAWERDI AHMED HAMID

Phone: 612-348-7727

Phone:

3. The hearing for the return of the psychological evaluation will be held on **September 12, 2023 at 1:30 PM.**

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
 - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
 - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
 - b. May be mentally ill and dangerous, and
 - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
 - a. Presents an imminent risk of serious danger to another,
 - b. May be imminently suicidal, or
 - c. Needs emergency intervention.

Dated: July 11, 2023

Browne, Michael
Jul 11 2023 12:43 PM



Michael K Browne
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

27-CR-23-1886

10008-111913

PROBATE/MENTAL HEALTH DIVISION
FOURTH JUDICIAL DISTRICT COURT
C-400 HENNEPIN COUNTY GOVERNMENT CENTER
MINNEAPOLIS, MINNESOTA 55487-0340

Return Service Requested

Quinn

Filed in District Court
State of Minnesota

AUG 31 2023

PTS

--R-T-S- 554044049-1N 009 08/26/23

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
RETURN TO SENDER

SANDRA VONGSAPHAY
740 EAST 17TH STREET
MINNEAPOLIS MN 55404

55404816



US POSTAGE
ZIP 55487 \$000.63⁰
02 4M
0000385559 JUL 11 2023

State of Minnesota

District Court

Hennepin County

Fourth Judicial District

State of Minnesota,
Plaintiff,

v.

Sandra Vongsaphay,
Defendant.**Order to Fourth Judicial District Court
Psychological Services**

27-CR-23-2480

27-CR-21-5142

27-CR-22-18824

27-CR-23-16437

Defendant Information	
<input type="checkbox"/> Out of Custody <input checked="" type="checkbox"/> In Custody – at Facility: _____	
Date of Birth: 01/01/1981	SILS Identifier: 763805
Phone:	Home: 612-471-9775, Work: 763-447-0061, Cell: 763-357-2817
Email:	realfamily2020@gmail.com
Current Address:	740 E 17TH ST MINNEAPOLIS MN 55404-1601
<input type="checkbox"/> Confirmed address with Defendant	
Additional family/collateral contact number and instructions:	

It is hereby ordered:

- ☒ For felony and gross misdemeanor cases, probable cause has been found.
☐ The defendant is to be released upon completion of the interview process.
☐ This is part of the targeted misdemeanor program.

1. The Chief of Psychological Services of the Fourth Judicial District or the Chief's designee ("Examiner") shall conduct the following psychological evaluation, assessment and/or consultation regarding the defendant:

- ☒ Competency to participate in proceedings pursuant to Rule 20.01
☐ Mental state at the time of the alleged act pursuant to Rule 20.02 (M'Naghten Rule)
☐ Sex Offender Evaluation (psychosexual) pursuant to Minnesota Statute § 609.3457
☐ Repeat Sex Offender Evaluation pursuant to Minnesota Statute § 609.3457
☐ Consultation (Pre-Sentence) _____
☐ Other (please specify) _____

2. Copies of this evaluation shall be provided to the Court and the following individuals:

Defense Attorney: ALICIA LYNN GRANSE

Phone:

Prosecuting Attorney: THOMAS FRANKLIN MANEWITZ

Phone: 612-348-6379

Phone:

3. The hearing for the return of the psychological evaluation will be held on April 2, 2024 at 1:30 PM.

4. Upon presentation of this order, the relevant custodian of records shall provide (whether mailed, faxed, or personally delivered) to the Examiner all relevant records from the following sources: behavioral, chemical dependency, developmental disability, educational, employment, judicial, law enforcement (including audio/visual recordings), medical, probation/correction, psychological, and social service. A copy of the records so requested shall be delivered to the Examiner within 96 hours of presentation of this order. Records that are faxed shall be sent to 612-348-3452. Mailed records should be sent to Hennepin County District Court, Psychological Services, 300 South Sixth Street, C-509 Government Center, Minneapolis, Minnesota 55487. All agencies maintaining the above-listed records may also communicate verbally with the requesting Examiner.
 - **The Court specifically finds** good cause exists for authorizing the disclosure of the identified records, including chemical dependency records, because other ways of obtaining the information are not available or would not be effective, and the public interest and need for disclosure outweighs the potential injury to the patient, the physician/patient relationship and any chemical dependency treatment facility or organization holding records pertaining to Defendant.
5. During the preparation of the report, the Examiner and any employee of Community Corrections and Rehabilitation may discuss the case and share relevant information in a manner consistent with Minnesota Rules of Criminal Procedure, Minnesota Statutes, and case law.
6. If a sex offender evaluation has been ordered and the defendant is a Repeat Sex Offender as defined in Minnesota Statute § 609.3457, Psychological Services is ordered to comply with both the requirements of §609.3457 and the agreement with Minnesota State Operated Forensic Services. A copy of any Repeat Sex Offender Report produced by Psychological Services shall be forwarded to the Court and the Commissioner of Corrections.
7. In the case of Rule 20 evaluations, the Examiner shall offer in the report an opinion and support for the opinion on whether the defendant:
 - a. Is suitable to refer for consideration of civil commitment and the basis of the possible commitment,
 - b. May be mentally ill and dangerous, and
 - c. Needs immediate hospitalization.
8. In the case of Rule 20 evaluations, the Examiner shall promptly notify the prosecutor, defense attorney and the Court if the Examiner concludes that the defendant:
 - a. Presents an imminent risk of serious danger to another,
 - b. May be imminently suicidal, or
 - c. Needs emergency intervention.

Dated: February 27, 2024


Mark Kappelhoff
District Court Judge

- ✓ Please direct the prosecuting agency to forward a copy of the police report for each case to Psychological Services.
- ✓ If a defendant is to be released upon completion of the interview process, a Conditional Release Order must be filed giving that direction.

Filed in District Court
State of Minnesota
11/3/2023State of Minnesota
Hennepin CountyDistrict Court
Fourth Judicial District**Court File Number: 27-CR-23-2480**

Case Type: Crim/Traf Mandatory

Notice of Judicial Reassignment

FILE COPY

State of Minnesota vs Sandra Vongsaphay

This case is reassigned to:

Judge Jean Burdorf
300 South Sixth Street
Minneapolis MN 55487-0419
612-348-2040

All future hearings shall be scheduled before this judicial officer.

Please note that a notice to remove this judicial officer must comply, in adult criminal cases, with Minnesota Rules of Criminal Procedure 26.03 subdivision 14 and Minnesota Statute Sec. 542.16, and in juvenile delinquency cases, with Minnesota Rules of Delinquency Procedure 22.03.

Dated: November 3, 2023

Sara Gonsalves
Court Administrator
Hennepin County District Courtcc: THOMAS FRANKLIN MANEWITZ
ALICIA LYNN GRANSE

State of Minnesota
Hennepin CountyDistrict Court
Fourth Judicial DistrictCourt File Number: 27-CR-21-5142, 27-CR-22-
18824, 27-CR-23-2480, 27-CR-23-16937

Case Type: Crim/Traf Mandatory

Notice of Remote Zoom Hearing**SANDRA VONGSAPHAY
740 E 17TH ST
MINNEAPOLIS MN 55404-1601**

State of Minnesota vs Sandra Vongsaphay

You are notified this matter is set for a remote hearing. This hearing will not be in person at the courthouse.

<i>Hearing Information</i>
October 01, 2024 Review Hearing 1:30 PM

The hearing will be held via Zoom and appearance shall be by video unless otherwise directed with Judicial Officer, Hennepin County District Court.

If you fail to appear a warrant may be issued for your arrest.

The Minnesota Judicial Branch uses strict security controls for all remote technology when conducting remote hearings.

You must:

- Notify the court if your address, email, or phone number changes.
- Be fully prepared for the remote hearing. If you have exhibits you want the court to see, you must give them to the court before the hearing. Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings, including how to submit exhibits.
- Contact the court at 612-348-2040 if you do not have access to the internet, or are unable to connect by video.
- If you need an interpreter, contact the court before the hearing date to ask for one.
- If you cannot afford to hire a lawyer and would like to apply for a court-appointed attorney before this appearance visit <https://pdapplication.courts.state.mn.us> or scan the QR code to start the application.



To join by internet:

1. Type <https://zoomgov.com/join> in your browser's address bar.
2. Enter the **Meeting ID and Meeting Passcode (if asked)**:
Meeting ID: 160 223 0876
Passcode: 1234
3. Update your name by clicking on your profile picture. If you are representing a party, add your role to your name, for example, John Smith, Attorney for Defendant.
4. Click the **Join Audio** icon in the lower left-hand corner of your screen.
5. Click **Share Video**.

Para obtener más información y conocer las opciones para participar en audiencias remotas, incluido cómo enviar pruebas, visite www.mncourts.gov/Remote-Hearings.

Booqo www.mncourts.gov/Remote-Hearings oo ka eego faahfaahin iyo siyaabaha aad uga qeybgeli karto dacwad-dhageysi ah fogaan-arag, iyo sida aad u soo gudbineyso wixii caddeymo ah.

To receive an eReminder for future court dates via e-mail or text, visit www.mncourts.gov/Hearing-eReminders.aspx or scan the QR code to enroll.



Dated: April 2, 2024

Sara Gonsalves
Hennepin County Court Administrator
300 South Sixth Street
Minneapolis MN 55487-0419
612-348-2040

cc:

Filed in District Court
State of Minnesota
Apr 04, 2024 3:53 pm**STATE OF MINNESOTA**
COUNTY OF HENNEPIN**DISTRICT COURT**
FOURTH JUDICIAL DISTRICT
CRIMINAL DIVISION

State of Minnesota,

Court File No. 27-CR-21-5142; 27-CR-22-
18824; 27-CR-23-2480; 27-CR-23-16937

Plaintiff,

vs.

Sandra Vongsaphay,

Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER REGARDING
COMPETENCY

This matter came before the undersigned Judge of District Court on April 2, 2024. The hearing was held remotely using the Zoom internet platform. Tom Arneson, Assistant Hennepin County Attorney, represented the plaintiff. Defendant appeared in custody and was represented by Christine Irfanullah, Assistant Hennepin County Defender.

Based on all the files, records and proceedings in this case, the Court makes the following:

FINDINGS OF FACT

1. Defendant (date of birth 01/01/1981), was charged in MNCIS file 27-CR-21-5142 with Drugs – 5th Degree (Felony) arising from an incident alleged to have occurred on January 26, 2021; in MNCIS file 27-CR-22-18824 with Drugs – 5th Degree (Felony) arising from an incident alleged to have occurred on September 19, 2022; in MNCIS file 27-CR-23-2480 with Burglary – 2nd Degree (Felony) and Financial Transaction Card Fraud – Use – No Consent (Gross Misdemeanor) arising from an incident alleged to have occurred on January 30, 2023; and in MNCIS file 27-CR-23-16937 with Drugs – 5th Degree (Felony) and Theft (Misdemeanor) arising from an incident alleged to have occurred on August 8, 2023. In the former case, on September 21, 2022, Judge Luis Bartolomei found probable cause to believe that the offense was committed and that Defendant committed it.
2. On February 27, 2024, Judge Mark Kappelhoff ordered that Defendant undergo an evaluation to assess Defendant's competency to proceed in this matter pursuant to Minn.R.Crim.P. 20.01.

3. Dr. Amanda Powers, Psy.D., LP, Psychological Services of Hennepin County District Court, reviewed Defendant's records, interviewed Defendant, and filed a written report with this Court.
4. Dr. Amanda Powers, Psy.D., LP, Psychological Services of Hennepin County District Court, opined that Defendant, due to mental illness or cognitive impairment, lacks the ability to rationally consult with counsel; or lacks the ability to understand the proceedings or participate in the defense. This opinion was uncontested by either party.

CONCLUSIONS OF LAW

Defendant is presently incompetent to stand trial. The misdemeanor charge must be dismissed pursuant to Rule 20.01.

ORDER

1. The criminal proceedings in this matter are suspended until Defendant is restored to competency to proceed. While suspended, the criminal court retains authority over the criminal case including, but not limited to, bail or conditions of release.
2. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with the Court within ten (10) days of the date of service.
Mawerdi Hamid, Assistant Hennepin County Attorney – Criminal Division;
Thomas Manewitz, Assistant Hennepin County Attorney – Criminal Division;
Christine Irfanullah, Assistant Hennepin County Public Defender
3. The Hennepin County Prepetition Screening Program (PSP) must conduct a prepetition screening pursuant to the Minnesota Commitment and Treatment Act and make a recommendation as to whether the defendant should be civilly committed under the Act.
4. PSP shall investigate whether civil commitment should be pursued and forward a recommendation in a written report supporting or not supporting civil commitment to the Hennepin County Attorney's Office – Adult Services Division ("HCAO-ASD") within five (5) days of receiving this Order.
5. Prepetition Screening shall provide copies of the Rule 20 Competency Evaluation, the criminal Complaint(s), and the underlying police report(s) along with its written recommendation to the Hennepin County Attorney's Office – Adult Services Division.

6. Defendant is ordered to cooperate with the civil commitment process including appearing at all court appearances in the civil and criminal cases.
7. Members of PSP shall have access to all Defendant's files and records, including those protected by Federal regulation or law. This Order grants the members of PSP access to the records of any individual or entity that has provided observation, evaluation, diagnosis, care, treatment, or confinement of the Defendant. This Order applies to, but is not limited to, records maintained by: Minnesota Fourth Judicial District Court Psychological Services; chemical dependency evaluators and treatment providers; health clinics; medical centers and hospitals; physicians; psychologists; mental health care providers; case managers; parole and probation agencies; residential and nonresidential community mental health treatment facilities or programs; regional treatment centers; the Minnesota Department of Corrections; the correctional authority for any other state; schools and school districts; law enforcement agencies; and the Court's own records.
8. This Order also authorizes employees or officers of the record keepers described above to discuss the Defendant's condition, history, treatment, and/or status with the members of PSP. Information collected by PSP pursuant to this Order shall be considered private data on the Defendant, but it may be included in the written report produced by PSP and forwarded to the HCAO-ASD.
9. If the Fourth Judicial District Court – Probate/Mental Health Division finds the Defendant to be mentally ill, developmentally disabled, chemically dependent, or mentally ill and dangerous to the public, the Defendant may be committed directly to an appropriate safe and secure facility. The Hennepin County Sheriff shall transport the Defendant from the Hennepin County Adult Detention Center to the custody of the head of the facility named in the order for civil commitment when notified that placement is available for the Defendant.
10. The head of the treatment facility shall submit a written report addressing the Defendant's competency to proceed in the criminal case when the Defendant has attained competency, or at least every six months.
11. Psychological Services of Hennepin County District Court, or the Department of Human Services Forensic Evaluation Department if the defendant is civilly committed, shall have access to Defendant's treatment records to prepare the required report(s) on the defendant's mental condition with an opinion as to competency to proceed. By presentation of a copy of

this order, whether mailed, sent electronically, discussed verbally, or personally delivered, the custodian of records for any agency, department, or health care provider shall release all information and/or records related to Defendant, including medical, psychological, behavioral, social service, probation/correctional, developmental disability, military, Social Security, employment, and educational records, to the agency requesting the records within 72 hours. This Order shall be sufficient to require an agency, department, entity, or health care provider to release the requested information and/or records related to treatment Defendant has received in connection with that facility. Any of the defendant's records released pursuant to this order may not be disclosed to any other person without court authorization or Defendant's signed consent.

12. The criminal conditions of release remain in effect until placement at an appropriate facility can occur.
13. If Defendant is not subject to the provisions of Minn. Stat. § 253B.18, the head of the treatment facility shall hold Defendant safe and secure under the civil commitment, and shall not permit the Defendant's release, institutional transfer, partial institutionalization status, discharge, or provisional discharge of the civil commitment until the Fourth Judicial District Court – Criminal Division has ordered conditions of release consistent with the proposed change in status. Any proposed change in status under the civil commitment requiring amended conditions of release shall be made in writing to the Fourth Judicial District Court – Criminal Division and parties at least 14 days prior to proposed change in status. The written proposal shall address the following issues 1) whether the Defendant is competent to proceed; 2) how the proposed plan will meet the Defendant's treatment needs; and 3) public safety risks and how they will be addressed. Either party may request a hearing to address the proposed changes to the conditions of release. If no hearing is requested, the court may issue an order amending the conditions of release consistent with the proposed change in status in the civil commitment matter.
14. In the event the Fourth Judicial District Court – Mental Health Division does not commit the Defendant, then the Defendant shall be transported in secure custody back to the Fourth Judicial District Court – Criminal Division for further proceedings herein.
15. Defendant's next appearance in Hennepin County District Court – Criminal Division on this matter and status review of Defendant's competence to proceed is October 1, 2024. One week

prior to that date, reports regarding Defendant's competency and mental status shall be e-filed and e-served to:

- a. Fourth Judicial District Court – 4thCriminalRule20 email list;
 - b. Christine Irfanullah, Assistant Hennepin County Public Defender;
 - c. Mawerdi Hamid, Assistant Hennepin County Attorney;
 - d. Thomas Manewitz, Assistant Hennepin County Attorney;
 - e. Assistant Hennepin County Attorney's Office – Adult Services Division (if a commitment is ordered);
 - f. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.
16. A copy of this Order, the Rule 20.01 Competency Evaluation, the criminal complaint(s), and the underlying police report(s) shall be delivered via email to the Prepetition Screening Program of Hennepin County's Human Services and Public Health Department.

BY THE COURT:

Dated: April 4, 2024



Browne, Michael
Apr 4 2024 1:38 PM

Judge of District Court

4/8/2024

I need help understanding what is happening with my case. I don't understand the crime I am being charged with nor do I understand why I am being sentenced without being charged with a crime. I am being held at Hennepin County until October and no one has given me any clarity on the reason. I have not plead guilty to any crime. Neither am I sure of why I am being held so long.

Please contact me as I am in urgent assistance. The court is speaking a language I do not understand. I am in need of an advocate or some type of resources to ensure my rights are not being violated.

I look forward to your immediate response to my letter in a timely manner. Thank you.

Sincerely,

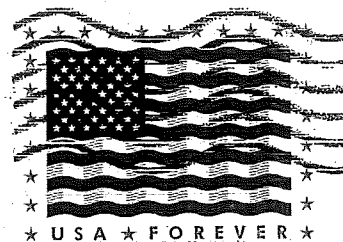
Sandra Phikanukanh
Yongsaphay

(PS) I would like to admit to the second case I am sorry I didn't understand at the time. I hope you know I admit to all my cases.

Phitsanoukanh Vongsaphay
Avenue STE 100
S MN 55415

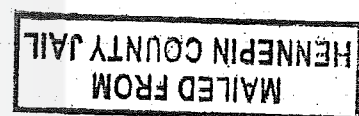
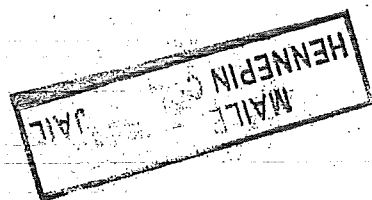
MINNEAPOLIS MN 553

10 APR 2024 PM 4 L

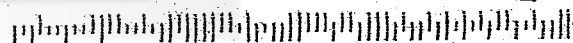


Judge: DAYTON Klein

300 S 6th St
Minneapolis MN 55407



55487-



MINNESOTA
JUDICIAL
BRANCH



PROBATE/MENTAL HEALTH DIVISION
4TH FLOOR COURTS TOWER
HENNEPIN COUNTY GOVERNMENT CENTER
300 SOUTH SIXTH STREET
MINNEAPOLIS MN 55487
WWW.MNCOURTS.GOV/DISTRICT/4

April 12, 2024

SANDRA PHITSANOUKANH VONGSAPHAY
401 S 4TH AVE S STE 100
MINNEAPOLIS MN 55415

Re: Your Letter

Dear Ms. Vongsaphay,

We received your letter dated April 8, 2024, and have filed the letter in the following case numbers:

- 27-CR-21-5142
- 27-CR-22-18824
- 27-CR-23-2480
- 27-CR-23-16937

Thank you for sharing your concerns with the Court. We have shared your letter with your attorney, Christine Irfanullah, who can help to clarify the process.

Sincerely,

Lee Cuellar
Judicial Clerk to the Honorable Julia Dayton Klein

cc: Christine Irfanullah, Public Defender