

STATE OF MINNESOTA

DISTRICT COURT

HENNEPIN COUNTY

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

v.

Anne Marie Riley,

Defendant.

**ORDER REJECTING NOTICE TO REMOVE
JUDICIAL OFFICER**

MNCIS No. 27-CR-19-22615

Judge Hilary Lindell Caligiuri

This matter came before the undersigned Judge of District Court in her capacity as the Presiding Judge of the Criminal Division of the Fourth Judicial District, pursuant to Defendant's notice to remove the Honorable Susan Robiner, filed on January 10, 2024.

Based on the file, record and proceedings, the Court makes the following:

SUMMARY OF THE RECORD

1. On December 20, 2023, defendant filed two Notices to Remove purporting to remove the Hon. Rachna Sullivan and the Hon. Danielle Mercurio. Defendant's notice to remove Hon. Rachna Sullivan was found to be valid and given effect, and defendant's notice to remove Hon. Danielle Mercurio was rejected in an order filed December 21, 2023.
2. Defendant filed a Notice to Remove on January 10, 2024, purporting to remove the Hon. Susan Robiner.

CONCLUSIONS OF LAW

1. Litigants in Minnesota have a right to remove a judicial officer assigned to a criminal trial or hearing. *State v. Dahlin*, 753 N.W.2d 300, 305 (Minn. 2008).
2. Removal as of right is limited to one judicial officer. *See* Minn. R. Crim. P. 26.03, subd. 14(5).
3. Having already removed the Hon. Rachna Sullivan, defendant's subsequent notice to remove the Hon. Susan Robiner is invalid.

ORDER

1. Defendant's notice to remove the Hon. Susan Robiner is rejected and shall not have effect.

IT IS SO ORDERED.

BY THE COURT:

Dated: January 11, 2024

HILARY LINDELL CALIGIURI
Judge of District Court

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