

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

vs.

Adrian Michael Wesley,

Defendant.

**FINDINGS OF FACT**  
**CONCLUSIONS OF LAW**  
**AND ORDER INCLUDING**  
**PETITION FOR**  
**JUDICIAL COMMITMENT**

MNCIS No: 27-CR-17-8342

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This matter came on for hearing before the undersigned Judge on April 11, 2017. Robert Sorensen, Assistant Hennepin County Attorney, represented the plaintiff on the felony. The Defendant appeared with counsel, Kellie Charles, of the Hennepin County Defender's Office. Pursuant to the evidence adduced at the hearing and upon all of the files, records, and proceedings herein, the Court makes the following:

**FINDINGS OF FACT**

1. The defendant was born on March 15, 1991; resides in a group home, the defendant is not a Veteran; and his nearest kindred who lives in Minnesota is his aunt.
2. The defendant has an open Civil Commitment Case, 27MHPR17175, in Hennepin County that is scheduled for a Settlement Conference on April 12, 2017, at 1:15 pm before referee Anthony Schumacher.
3. The defendant is in custody at the Hennepin County Public Safety Facility.
4. The defendant was charged with the alleged offense of Felony Damage to Property from the date of March 5, 2017. Copies of the complaint and police reports are incorporated herein by reference.

5. On April 6, 2017, Judge Anderson ordered Psychological Services of Hennepin County District Court, to conduct an examination and make an evaluation of the Defendant's mental condition pursuant to Minn.R.Crim.P. 20.01.
6. On February 21, 2017, Judge Carolina A. Lamas found defendant incompetent in file 27-CR-17-1555. In a report to the Court in file 27-CR-17-1555, attached and incorporated herein, Kristen Otte, Psy.D., LP, Senior Clinical Forensic Psychologist, Psychological Services of Hennepin County District Court, determined that the Defendant may be mentally ill or mentally deficient so as to be incompetent to stand trial. The report to the Court from 27-CR-17-1555 shall be incorporated into 27-CR-17-8342.

#### **CONCLUSION OF LAW**

Defendant is presently incompetent to stand trial.

#### **ORDER**

1. Defendant's civil commitment shall continue in accordance with Minnesota Rule of Criminal Procedure 20.01, subdivision 6(b)(1). The civil court should determine whether to add 20.01 safe and secure language to the commitment and begin competency restoration programming.
2. The Criminal proceedings are hereby suspended until the Defendant has returned to a competent state of mind.
3. Copies of this Order shall be served upon counsel for the parties and any objections to this Order shall be filed with Court within ten days of the date of service.
4. The undersigned shall file this Order with the Fourth Judicial District Court – Criminal Division and the following persons/agencies shall be served with electronic copies of the Order:

- a. Fourth Judicial District Court – Mental Health Division;
  - b. Hennepin County Attorney’s Office – Mental Health Division;
  - c. Mark Gray – Civil Defense Attorney.
  - d. Hennepin County Attorney’s Office – Criminal Division
5. The Defendant’s next review date in Hennepin County District Court – Criminal Division on the criminal matter and status review of the Rule 20, Minn.R.Crim.P. is August 22, 2017. One week prior to that date, reports regarding Defendant’s competency and mental status shall be prepared by DHS or Fourth Judicial District Court – Psychological Services, and e-filed and e-served to:
- a. Fourth Judicial District Court – Mental Health Division;
  - b. Hennepin County Attorney’s Office – Mental Health Division;
  - c. Mark Gray. – Civil Defense Attorney.
  - d. Hennepin County Attorney’s Office – Criminal Division

BY THE COURT:

DATED: April 11, 2017

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Carolina A. Lamas  
Judge of District Court  
Fourth Judicial District