

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

vs.

Michael Adrian Wesley,

Defendant.

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

MNCIS No: 27-CR-17-22909

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This matter was charged on September 12, 2017, and a complaint was issued as a warrant. Parties waived a hearing and appearance on the matter. 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 March 15, 1991; the Defendant is not a Veteran; and Defendant's nearest kindred is his aunt.
2. Defendant was charged with Assault in the Fourth Degree (Felony) from an offense date of July 14, 2017. On September 13, 2017, Judge Lamas found probable cause to believe that the crime was committed and that Defendant committed it.
3. On January 20, 2017, Judge Jay Quam of the Fourth Judicial District ordered an examination of the Defendant's mental condition pursuant to Minn.R.Crim.P. 20.01 in.
4. In a report to the Court in MNCIS Case No. 27-CR-17-1555 and MNCIS Case No. 27-CR-17-8342, Kristen Otte, Psy.D., LP, Senior Clinical Forensic Psychologist, Regional

Psychological Services, has determined that the Defendant may be mentally ill or mentally deficient so as to be incompetent to stand trial.

5. On February 21, 2017, Judge Lamas of the Fourth Judicial District Court found the defendant mentally ill or mentally deficient so as to be incompetent to stand trial.
6. Defendant was committed to the Minnesota Security Hospital, Saint Peter, as mentally ill and dangerous on July 27, 2017.

### **CONCLUSIONS OF LAW**

Defendant is presently incompetent to stand trial.

### **ORDER**

1. The Criminal proceedings are hereby suspended until the Defendant has returned to a competent state of mind.
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 days of the date of service.
3. 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. Hennepin County Attorney’s Office – Criminal Division;
  - d. Kellie Charles, Assistant Hennepin County Public Defender; and
  - e. Hennepin County Pre-petition Screening Unit.
4. The Defendant’s next review date in Hennepin County District Court – Criminal Division on the criminal matter and status review of Rule 20, Minn.R.Crim.P. is

October 31, 2017. 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. Kellie Charles, Assistant Hennepin County Public Defender;
- c. Sarah Hilleren, Assistant Hennepin County Attorney;
- d. Hennepin County Attorney – Mental Health Section; and
- e. The Commitment Defense Panel attorney appointed to represent Defendant by the Fourth Judicial District Court – Probate/Mental Health Division.

BY THE COURT:

DATED: September 13, 2017

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Carolina A. Lamas  
Judge of District Court  
Fourth Judicial District

Attachments: Examiner's Report  
Police Reports  
Complaints