

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT – CRIMINAL DIVISION
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**AFFIDAVIT IN SUPPORT OF
PETITION AND MOTION TO
REINSTATE AND DISCHARGE
APPEARANCE BOND**

vs.

File No. 27-CR-21-1230

Makis Devell Lane,

Defendant.

I, Joshua J. Stussy, being first duly sworn upon oath, depose and say:

1. That I am the Vice President of Midwest Bonding, LLC. Midwest Bonding, LLC, is Agent for the Surety, Lexington National Insurance Corporation, for the above-named Defendant's appearance bond. I have personal knowledge of the matters in this Affidavit, except for the matters stated on information and belief, as to those matters, I believe them to be true. I am competent to testify on them and if called to testify, would do so in accordance with this affidavit.

2. On or about APRIL 25, 2021 Midwest Bonding, LLC posted Bail Bond No. 2021-AA-032895 in the amount of \$5,000.00. This Bond was to assure Defendant's appearance at further proceedings in the above-captioned matter.

3. Defendant's last known address is 8120 West River Road in Brooklyn Park, Minnesota (55444).

4. On or about JANUARY 12, 2023 a hearing was held in which Defendant's appearance was required. The Defendant did not appear at this hearing.

5. Due to Defendant's non-appearance, the Court issued an Order dated JANUARY 12, 2023 Ordering the bond be forfeited with a bond payment due date of APRIL 12, 2023.

6. Midwest Bonding, LLC received the Forfeiture Notice dated JANUARY 12, 2023 in connection with this matter on JANUARY 16, 2023.

7. Midwest Bonding, LLC has procedures in place to ensure Defendant's future appearances before the Court. On JANUARY 5, 2023 prior to the scheduled Court date, agents for Midwest Bonding, LLC initiated contact with the Indemnitor and Defendant to ensure Defendant would appear as ordered. The Defendant accepted notification of the hearing date through an automated appointment reminder voice messaging system.

8. On JANUARY 16, 2023 upon receiving the Notice of Bail Bond Forfeiture, agents for Midwest Bonding, LLC revealed that Defendant did not appear before the Court as ordered. Agents immediately began investigative efforts to locate Defendant and return them to the jurisdiction and custody of the Court. Initial investigative efforts included further attempts to contact Defendant and Indemnitor via telephone and running an electronic search of all the jails in Minnesota for Defendant to ensure the Defendant hadn't already been brought back into custody.

9. When this investigation was not immediately successful, a professional fugitive recovery agency was hired at an added expense to Midwest Bonding, LLC to locate and apprehend the Defendant. The recovery agency conducted efforts to locate the Defendant, including investigating the contact information collected at the time the Bond was posted, and investigative software to search for the Defendant.

10. Amid this investigation it was revealed that the Warrant had been Cleared by the Court on MARCH 16, 2023. It was further revealed that the Defendant is in the custody of the Anoka County Sheriff having been arrested in Spring Lake, Minnesota by the Spring Lake Police Department on MARCH 16, 2023 for matters unrelated to this matter before the Hennepin County Court.

11. To date, the Defendant currently remains in the custody of the Anoka County Sheriff pending the next scheduled Hennepin County Court date of APRIL 6, 2023.

12. In consideration of the foregoing, I respectfully request the Court to Reinstate the bond and Discharge the bond (2021-AA-032895 in the amount of \$5,000.00) as satisfied. Should the Court contemplate continued forfeiture of this bond, I respectfully request that a hearing be Ordered, and a date for said hearing be set, so cause may be argued as to why the bond should not be Forfeited.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated this 30th day of March, 2023 in Winona County, Minnesota

/s/ Joshua J. Stussy
Vice President
Midwest Bonding, LLC