

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

State of Minnesota,

Court File No. 27-cr-23-12360

Plaintiff,

v.

**MOTION TO SUBSTITUTE  
COUNSEL**

Alexander O. Thomley,

Defendant.

Defendant submits this motion to substitute the undersigned counsel, Kevin C. Riach, for Defendant's current counsel Susan C. Herlofsky. Defendant has been found incompetent pursuant to Minn. R. Crim. P. 20.01 and lacks the ability to understand the proceedings or participate in his defense. Defendant's family has retained Mr. Riach to represent Defendant in this matter and in Defendant's civil commitment proceeding. For the above-stated reasons, Defendant respectfully requests that the Court substitute Mr. Riach as counsel for Defendant, replacing Defendant's appointed counsel Ms. Herlofsky.

RESPECTFULLY SUBMITTED,

Dated: August 22, 2023

/s/ Kevin C. Riach

Kevin C. Riach (#0389277)  
The Law Office of Kevin C. Riach, PLLC  
125 Main Street SE, Suite 339  
Minneapolis, MN 55127  
Telephone: 612.203.8555  
kevin@riachdefense.com

/s/ Susan C. Herlofsky

Susan C. Herlofsky  
Assistant Hennepin County Public Defender  
701 4th Avenue South, Suite 1400  
Minneapolis, MN 55415-1600  
Telephone: 612-348-9881  
Susan.Herlofsky@Hennepin.us

MINNESOTA  
JUDICIAL  
BRANCH