

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT CRIMINAL DIVISION
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**ORDER GRANTING IN PART AND
DENYING IN PART THE MOTION
FOR BOND REINSTATEMENT AND
DISCHARGE**

vs.

Makis Devell Lane,

File No. 27-CR-21-13752

Defendant,

Bail Bond Power No. 2021-AA-067109

IN RE: The application of
Midwest Bonding, LLC.

Based upon Petitioner's affidavit, as well as upon all the files, records, and proceedings herein;

The Petitioner, Midwest Bonding, LLC, posted a bail bond in this matter on October 14, 2021, bail bond number 2021-AA-067109, in the amount of \$500.00.

Based on the above finding, IT IS HEREBY ORDERED:


- ☒ Bail bond power 2021-AA-067109 in the amount of \$500.00 **IS REINSTATED.**
- ☒ Bail bond power 2021-AA-067109 in the amount of \$500.00 **IS NOT DISCHARGED.**
 - Pursuant to the *Shetsky* factors, the Court finds that the State is prejudiced in its administration of justice.
 - It is Defendant's continued failure to appear that is prolonging this matter. Said bond was ordered to be forfeited on January 12, 2023 by Judge Meyer following Defendant's failure to appear for a hearing scheduled for 11:30 a.m., and a warrant was issued for Defendant's arrest. The warrant was cleared on March 16, 2023, and a hearing was set for April 6, 2023 at 1:31 p.m. The Defendant appeared before the Court on April 6, 2023, and a new date was set for the Defendant, who was released on his own recognizance without requirement of posting a new bond. The matter remains scheduled for omnibus hearing on April 20, 2023 at 9:00 a.m., nearly 21 months after the initial filing of the underlying complaint.
 - The Defendant had previously failed to appear on October 4, 2021, July 7, 2022, July 26, 2022, and January 9, 2023, and warrants for the Defendant's arrest were issued and cleared following most of these failures to appear.

- Petitioner avers having attempted to contact the Defendant and the indemnitor prior to the January 12, 2023 hearing to remind the Defendant of the hearing and ensure the Defendant's appearance. Petitioner further avers that Defendant accepted notification of the hearing date through an automated appointment reminder voice messaging system. Petitioner further avers that after receiving the Notice of Bail Bond Forfeiture in this matter on January 16, 2023, agents immediately began investigative efforts to locate the Defendant and return him to the jurisdiction and custody of the Court. Petitioner further avers that after its initial investigation was not immediately successful, it hired a professional fugitive recovery agency at its own expense to locate and apprehend the Defendant.
- The January 12, 2023 warrant issued following Defendant's failure to appear was cleared on March 16, 2023 after the Court and parties learned that the Defendant was 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 on an unrelated matter.
- The Court notes that the purpose of bail/bond is to ensure that individuals appear in court.
- To date, this matter remains pending and no resolution has been reached.

This decision is a judgment of the court. Petitioner may request a hearing on this decision by letter to the undersigned, a copy of which must be provided to the prosecuting authority.

The Court Administrator is directed to take the necessary steps to carry out this order.

Dated: April 12, 2023



Anna Andow
District Court Judge