

STATE OF MINNESOTA

DISTRICT COURT

HENNEPIN COUNTY

FOURTH JUDICIAL DISTRICT

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State of Minnesota,

Plaintiff,

v.

Anne Marie Riley,

Defendant.

**ORDER DENYING DEFENDANT'S MOTION  
TO REMOVE JUDICIAL OFFICER**

MNCIS No. 27-CR-19-22615

Judge Hilary Lindell Caligiuri

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This matter came before the undersigned Judge of District Court on November 15, 2023, in her capacity as the Presiding Judge of the Criminal Division of the Fourth Judicial District, pursuant to Defendant's notice to remove the Honorable ASSIGNED JUDGE.

Based on the file, record and proceedings, the Court makes the following:

**SUMMARY OF THE RECORD**

1. Defendant filed a Notice to Remove on November 8, 2023, purporting to remove the Hon. Lois Conroy, the Hon. Susan Robiner, and the Hon. George Borer.

**CONCLUSIONS OF LAW**

1. Litigants in Minnesota have a right to remove a judicial officer assigned to a criminal trial or hearing. *State v. Dahlin*, 753 N.W.2d 300, 305 (Minn. 2008).
2. Removal as of right is limited to one judicial. *See* Minn. R. Crim. P. 26.03, subd. 14(5).
3. Minnesota courts "narrowly construe the right to peremptorily remove a judge." *Dahlin*, 753 N.W.2d at 306.
4. Defendant's notice to remove three judicial officers is, therefore, invalid.

**ORDER**

1. Defendant's notice to remove Hon. Lois Conroy, the Hon. Susan Robiner, and the Hon. George Borer is rejected and shall not have effect.

**IT IS SO ORDERED.**

BY THE COURT:

Dated: November 16, 2023

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HILARY LINDELL CALIGIURI  
Judge of District Court

MINNESOTA  
JUDICIAL  
BRANCH