

State of Minnesota

District Court

County of Dakota

First Judicial District

City of West St. Paul, Plaintiff,

vs.

Mary Jane Duchene, Defendant

**Supplemental Memorandum
supporting the December 16,
2009 Motion for an Order
Compelling the Prosecution to
Release Exculpatory Evidence to
the Defense**

Citation no. 3-441797

Court file: 19WS-CR-09-15734

- 1. That exhibit A, a part of the WSP web site states that there is a readily accessible data base to locate licensed dogs/cats. which clearly shows that it is not “too difficult” or “too much trouble” to provide the exculpatory evidence that the undersigned has requested.**
- 2. That exhibit “D” shows the name of the particular police woman who issued the citation in the above entitled matter, is crossed out as a reserve officer, and therefore may be unable to testify or support the charges made, see:
http://www.ci.westsaintpaul.mn.us/index.asp?Type=B_BASIC&SEC={39D1B2B4-5E86-424C-9DCA-DB68B5356640}**
- 3. That exhibit “B” and “C” - an anonymous letter dated December 13, 2001, is a document that may well be from the party who allegedly called in “for assistance” from the police, in the above entitled matter, and the letter contains dubious indications of a dubious and disturbed mental status by the writer, a propensity for and apparently belief in the writer’s entitlement to commit extreme violence and make terroristic threats, a belief the sound can be heard everywhere, at very long distances, which is not supported by credible, established, scientific data, and which is**

obviously very subjective the particular police woman who issued the citation in the above entitled matter, and who also believes from the referenced letter that the police totally support and will assist with violent conduct and terroristic threats. This information apparently will be willingly offered by the writer and shed light on the frivolous nature of the complaint and possible police corruption. It does not appear that the writer of the letter, which has so much in common with the party who allegedly called "for assistance" has any concern for retaliation and is the bully and terrorizer, not a victim.

Also see: <http://www.angelfire.com/mn3/abuseofpower/index.html>

4. The undersigned has no weapons, no history of violent conduct of any kind, and does not present a threat to "the party who allegedly called in "for assistance" in any way whatsoever.

5. The undersigned has no convictions for a barking violation, for the dogs owned by the undersigned, since (one who is 13) 1996, and (two who are 10 and seven) 2004; but did have a violation while looking after a husky breed dog, for a weekend, for a friend, which promptly resulted in the dog being immediately removed from the property, never to return; see court file: 5/2/2001 (dismissed) citation # 3-331909.

January 14, 2009

Respectfully submitted:



Mary Jane Duchene, BA, BS
1144 Ottawa Avenue
West St., Paul, MN 55118
Fax: 651 457 4376

EXHIBIT A

EMPLOYMENT QUESTIONS? LINKS WATCH CITY MEETINGS WINTER WEATHER HIGHLIGHTS

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Municipal Center Address and Hours

The West St. Paul Municipal Center is located at 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118, general information 651-552-4100.

The Center is located two blocks West of Robert Street at the intersection of Wentworth Avenue and Humboldt Avenue.

The hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. The Municipal Center houses City Administration, Community Development, Finance, Fire, Parks and Recreation, Police, and Public Works.

Location of Police Department and Hours

The Police Department is located in the West St. Paul Municipal Center and is open from 8:00 a.m. to 4:30 p.m.

911 and Non-Emergency number

Call 911 whenever you want a response from a public safety agency.

The City of West St. Paul dispatches all police and fire calls through the 911 system and calls are prioritized according to urgency.

If you need non-emergency assistance, please call 651-322-2323. You may be put on hold while emergency 911 calls are answered first. If you need to report a crime that has already happened or a non-life threatening problem, please use this number.

Does PACE inspect every property in West St. Paul?

Yes they do. Our Code Enforcement Officer looks at every house in each inspection district for separate code violations.

What happens if I don't get the work done as a part of the PACE Program by the specified time?

If you can't get the work done on time, contact the City for an extension. If you don't get the work done and you don't ask for an extension, you will receive a citation that has a court date on it. You MUST appear in court or else a warrant may be issued against you.

What is a compliance letter and what do I do if I receive one?

A compliance letter is a letter with a list of items that you need to correct on your property. The letter has date on it by which all of the work has to be completed by, if you can not have the items done by that time, you must make arrangements with the City. DO NOT IGNORE THE LETTER.

What is PACE and what is it designed to do?

PACE is Pro-Active Code Enforcement and it's goal is to maintain a quality housing stock, address building, housing and property maintenance concerns and to encourage rehabilitation and/or redevelopment of neighborhoods.

City Council Meetings

Council meetings are held the 2nd and 4th Mondays of each month at 7:00 p.m. The meetings are held in the West St. Paul Municipal Center Council Chambers located at 1616 Humboldt Avenue.

If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4100, TDD 651-322-2323 at least 5 business days prior to the meeting.

City Library

The Dakota County Wentworth Library is located in West St. Paul at 199 E. Wentworth Avenue, one block east of South Robert Street on Wentworth Avenue. The phone number is 651-554-6800.

Licensing Pets

All cats and dogs over four months of age, kept, harbored or maintained by their owner within the limits of the City, must be licensed and registered. Cat and dog licenses can be obtained by coming to the West St. Paul Municipal Center between 8:00 a.m. and 4:30 p.m. Monday through Friday. You will need proof of rabies vaccination from your Veterinarian. The cost of the license is \$11.50 or \$8.50 if spayed or neutered and is good from January 1st to December 31st. Only a total of three dogs or cats, or a combination thereof, over four months of age are allowed per residential premise.

Not more than two rabbits, guinea pigs, ducks, chickens, pigeons or geese more than four months old can be kept on any residential premises less than 5 acres within the City.

Before you purchase any animal, you should call the Municipal Center at 651-552-4108 to inquire about pertinent Ordinance regulations.

Lost/Found Pets

If a pet has been found, and the pet has a license tag, call the West St. Paul Municipal Center at 651-552-4100. The City has a record of all licenses and owners. You can also inquire about lost or found pets by calling the petline at 651-322-2323.

History of West St. Paul

In the early to middle 1800's the Sioux Indian villages of Kaposia on the east and Mendota on the west bordered the area that is now West St. Paul. The first permanent settlers arrived in 1848. Many of the names of these settlers are still familiar in West St. Paul.

By 1855 the area was platted. In 1858 the lands directly across the river from present-day downtown St. Paul were incorporated as the original City of West St. Paul, presumably taking the name from the West Bank of the Mississippi River. That municipality, which was legally unrelated to the present-day West St. Paul, got into financial difficulties and ceased operations.

During 1887, the City of South St. Paul was formed; comprising generally what are now South St. Paul and West St. Paul combined. Disputes regarding representation resulted in a split in 1889 when present-day West St. Paul was incorporated. In 1907 the City Charter was adopted providing for a mayor and seven council members. In 1962, the City Charter was amended to provide for a city manager. The mayor and council members form the legislative body and the city manager performs the administrative duties as provided by the Charter.

Utility Service and Trash Pickup

The City of St. Paul bills all utilities (water & sewer) for West St Paul. For trash pickup you need to hire one of the following licensed trash haulers:

Allied Waste Services

4325 66th St. E.
Inver Grove Heights, MN 55075
651-455-8634

Veolia Environmental Services

1375 7th Ave. P.O. Box 281
Newport, MN 55055
651-487-8546

Highland Sanitation

1811 Century Ave.
Newport, MN 55055
651-458-0043

Krupenny & Sons Disposal

1330 Galvin Avenue
West St. Paul, MN 55118
651-457-3680

Waste Management
12488 S. Pennsylvania Ave.
Savage, MN 55378
652-890-1100

Triangle Rubbish
1881 Lexington Avenue S.
Eagan, MN 55120
651-454-1848

For recycling, please stop by the West St. Paul Municipal Center and receive a recycling bin, your trash hauler is the one who picks up all the recyclables.

Code Enforcement Hotline and E-mail

*New Feature: The Code Enforcement E-mail is now available at code.enforcement@ci.west-saint-paul.mn.us. In addition to the Code Enforcement Hotline, residents can send an e-mail message to report building or property maintenance concerns. The Code Enforcement E-mail is classified as private data. The e-mail address, name and any information leading to the identity of the person submitting the e-mail is confidential data and cannot be released.

Please state the nature of the violation and the address or location of the problem property in the e-mail message. All email concerns will be investigated. If a violation is found, a compliance letter will be issued to the property owner. Depending on the type of violation, the City may give property owners time to resolve most violations; therefore you may not always see immediate results.

The Code Enforcement Hotline is also available to receive your call at 651-552-4114. The Hotline is a voice mail only number. The Hotline is available 24 hours a day, seven days a week to record your property concerns. Callers may remain Anonymous. All complaints will be investigat

EXHIBIT B

December 13, 2001

Dear IDIOT,

*YOU HAVE GOT TO BE THE RUDEST PIECE OF SHIT WE
KNOW!!!!!!*

*WE (ALL YOUR NEIGHBORS UP TO A BLOCK IN EVERY
DIRECTION!!!) HAVE HAD IT WITH YOUR PIECE OF SHIT DOG.
IF I HEAR ONE MORE FUCKING SOUND AFTER DARK AND
BEFOR SUNRISE, YOU CAN CONSIDER IT AS GOOD AS DEAD.*

*I MEAN IT!! ONE MORE BARK - IT'S TOAST! YOU CAN HEAR
THAT SHIT A BLOCK AWAY. YOUR NEIGHBORS HAVE TO WORK
DURING THE DAY. I AM SICK AND FUCKING TIRED OF BEING
AWAKENED IN THE MIDDLE OF THE NIGHT. I DON'T SLEEP
WELL AS IT IS. SO SHUT THAT FUCKER UP!!! I WILL HAVE NO
PROBLEM KILLING YOUR ANIMAL.*

*REMEMBER ONE THING - IT IS NOT THE DOGS' FAULT - IT IS
YOURS!!!!!!! SO WHATEVER HAPPENS - IT IS YOUR FAULT*

DON'T BOTHER CALLING THE COPS - THEY HAVE HAD IT ALSO.

FUCK YOU VERY MUCH!

EXHIBIT C



EXHIBIT D

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In CITY DEPARTMENTS:

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Front Row (left to right): Police Officer John Reynolds, ~~Officer Jennifer Hobbs~~, Sgt. Margaret Hirsch, Sgt. Audra Rowings, ~~Officer Sharesha Siedel~~, ~~Officer Joey McGeehan~~, Officer Don Weber, Police Sergeant Tom Fangel.

Second Row (left to right): Officer Mike Mandel, Mgt. Larry Rasmich, Sgt. Jason Nowak, Officer Chris Jacobson, Officer Jessica Staples, Lt. Mark Crowley, Officer Elyse Wood, Officer Nicholas Pitzer, ~~Officer Paul Ryan~~, Officer Derek Hasbnel, Captain Mike Whelbs.

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