
MARY JANE DUCHENE
1144 OTTAWA
WEST ST PAUL MN 55118

State of Minnesota vs MARY JANE DUCHENE

You are notified that an order was filed on this date.

Dated: January 14, 2010

Carolyn M. Renn
Court Administrator
Dakota County District Court
One Mendota Road West, Suite 140
West St. Paul MN 55118
651-554-6200

A true and correct copy of this notice has been served by U.S. Mail upon the following parties at the last known postal address of each.

Enclosure(s)

cc: WEST ST. PAUL CITY ATTORNEY'S OFFICE

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

vs.

Mary Jane Duchene,

Defendant.

ORDER

Court File No.: 19WS-CR-09-15734

The above captioned matter came on for pre-trial and motion hearings before the Honorable Timothy J. Mcmanus, on January 13, 2010, at 1:30 p.m., at the Dakota County Northern Service Center, West Saint Paul, Minnesota.

APPEARANCES:

Ms. Bridget McCauley-Nason, City Attorney, appeared on behalf of the State.

Ms. Mary Jane Duchene, Defendant, appeared *pro se*.

ORDER

- 1) Defendant indicated to the Court that she has filed for a change of venue to Federal Court. Dakota County District Court shall retain jurisdiction unless and until Federal Court accepts jurisdiction and notification of removal is received by Dakota County District Court.
- 2) Defendant's motion that the State disclose all witnesses to be called at trial and the identity of any person who made calls to law enforcement on July 24, 2009, regarding the above-captioned matter is **GRANTED**.
- 3) Defendant's request for a list of all registered dogs in the City of West Saint Paul within five hundred (500) feet of her residence is respectfully **DENIED**.
- 4) Defendant's motion requesting the State produce scientific data or expert testimony regarding the rates and decibels of sound and how far sound can travel based on the facts and circumstances of July 24, 2009, is respectfully **DENIED**.
- 5) Defendant's motion to dismiss based upon the failure of the State to set forth with specificity the facts and allegations in the Complaint is respectfully **DENIED**.
- 6) After review of the application **Defendant's Application for Appointment of a Public Defender is hereby GRANTED**. For Defendant's benefit the contact information for the Public Defender's Office is: 919 Vermillion Street, Suite 200, Hastings, MN 55033 - Phone: 651-480-0122 / Fax: 651-480-0121.

- 7) Defendant objects to this matter being certified as a petty misdemeanor; therefore the November 9, 2009, Order of the Honorable Michael V. Sovis, granting the State's motion to certify the charges against Defendant to a petty misdemeanor is hereby **VACATED**.
- 8) Defendant has made a demand for jury trial which is hereby **GRANTED**.
- 9) Central Assignment shall assign this matter to a District Court Judge who will preside over all future hearings in this matter.
- 10) The District Court Judge assigned by Central Assignment will preside over all other motions, hearings, and trial. Notwithstanding, this Court will set a trial date of March 15, 2010, at 9:00 a.m., at the Dakota County Judicial Center, Hastings, Minnesota. This date may be re-set by agreement of the parties after a public defender has been appointed based upon date availability. It may also be re-set if there is a conflict with the calendar of the assigned judge.
- 11) Defendant reserves her right to demand a speedy trial until after she has spoken to her attorney.
- 12) Dakota County Court Administration shall serve a copy of this order on Bridget McCauley-Nason, Mary Jane Duchene, and the Office of the Public Defender, and upon such, service shall be deemed proper.

DATED: Jan. 14, 2010

BY THE COURT

Timothy J. McManus

Timothy J. McManus
Judge of District Court