

**Canton City Council
March 13, 2024 – 6 pm
Regular Meeting Agenda**

1. Call to order
2. Pledge of Allegiance
3. Approval of agenda
4. Consent agenda
 - a) Approval of February 14, 2024 Regular Meeting Minutes
 - b) Approval of March Disbursements
 - c) Approval to waive Town Hall rental fee for Canton Legion for pancake breakfast on April 7
 - d) Approval to waive Town Hall rental fee for Canton Historical Society for fundraiser book sale on June 7-9
5. Public comments
6. Reports
 - a) Mayor
 - b) Clerk & Deputy Clerk
 - c) Public Works
 - d) Fire Department
 - e) Police
 - f) Planning Commission
 - g) Other
7. Old business
 - a)
8. New business
 - a) Consider approval of land use permit application for Jeremy Hanson
 - b) Consider notice regarding Petition of Lolitta Melander for expungement of her conviction

9. Adjourn

Upcoming Dates:

Canton Legion Pancake Breakfast

April 7

Regular City Council Meeting

April 10 @ 6 p.m.

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Canton City Council Regular Meeting Minutes February 14, 2024

Members present: Josh Nordsving, Kristy Ziegler, Jen Dowling

Members absent: Randy Gossman, Jason Magnuson

City staff present: Anne Koliha, Barb Kerns, Jon Nordsving, Jim Davis

Visitor(s) present: Ben Bisbach (FC Journal)

Mayor Nordsving called the regular meeting to order at 6:00 p.m.

Motion by Ziegler, seconded by Dowling to approve the agenda, motion carried.

Consent Agenda

Motion by Ziegler, seconded by Dowling to approve the consent agenda:

- a) Approval of January 10, 2024 Public Hearing Minutes
- b) Approval of January 10, 2024 Regular Meeting Minutes
- c) Approval of February Disbursements

Public comments: none

Reports:

Mayor Nordsving: none

Deputy Clerk: none

Clerk: Koliha reported been working on financial audit with auditor

Public Works: Nordsving reported on completing DNR Water Permit annual report

Fire Department: none

Police: none

Planning Commission: none

Other: Councilmember Ziegler reported on attending the joint meeting between Mabel city council and Mabel-Canton School board and reviewed the items discussed at the meeting.

Old Business

- a)

New Business

- a) Canton Softball League request for work on ballfield (dugouts/infield)
Clerk Koliha informed the Council of what the softball league would like to do at the ballfield which include upgrade the dugouts and dig up the infield. Council was good with the dugout

work since they have funds to utilize for materials and would do the work themselves. Public Works Director Nordsving cautioned council in regards to the work on the infield as to not dig up the infield as would bring up rocks so council decided to investigate the work on the infield further.

- b) Consider contribution towards the summer rec program with Mabel (\$3,220)
Motion by Ziegler, seconded by Dowling to approve contribution towards the summer rec program with Mabel in the amount of \$3,220, motion carried.

Motion by Nordsving, seconded by Ziegler to adjourn the meeting at 6:08 p.m.; motion carried.

March 2024 Disbursements

General Fund

Acentek	\$	222.34	Phone & Internet Services (City Hall/Town Hall)
Canon Financial*	\$	44.00	Copier monthly contract
MiEnergy	\$	74.67	Electric: City Hall
MiEnergy	\$	79.94	Electric: Town Hall
MiEnergy	\$	31.75	Electric: Bus Shed
MiEnergy	\$	483.19	Electric: Street Lights
MiEnergy	\$	58.43	Electric: Welcome Sign
MiEnergy	\$	31.14	Electric: Ball Field
MN Energy Resources*	\$	103.15	Gas: City Hall
MN Energy Resources*	\$	141.17	Gas: Maintenance Shop
MN Energy Resources*	\$	187.29	Gas: Town Hall
Nordsving, Jon	\$	50.00	Cell phone stipend
Tri-State Business Machines	\$	39.00	Copier monthly contract
Wright Way Computers	\$	41.57	Monthly computer services
League of Minnesota Cities	\$	7,346.00	Workers' Comp Insurance
Village Farm & Home	\$	108.40	Supplies
Sherwin-Williams	\$	27.49	paint for little library
Ironside Trailer Sales	\$	47.85	snowplow repairs
Kingsley Mercantile	\$	31.95	cleaning supplies
Smith Schafer	\$	8,500.00	2023 audit (first progress billing)
Carolina Hershberger	\$	144.00	cleaning city hall (Jan & Feb)
Total General Fund Disbursements	\$	17,793.33	

Mitson Fund

MiEnergy	\$	31.14	Electric: Mitson House
Total Mitson Disbursements	\$	31.14	

Water Fund

Acentek	\$	40.24	Phone dialer system
Gopher State One Call	\$	1.35	Locates
MiEnergy	\$	588.02	Electric: Pump House
MN Dept of Health	\$	420.00	Quarterly Water Supply Service Connection Fee
Maguire Iron	\$	1,914.75	Water Tower Cleaning/Inspection
Total Water Disbursements	\$	2,964.36	

Sewer Fund

Acentek	\$	40.24	Phone: WWTF
MiEnergy	\$	1,171.18	Electric: WWTF
Utility Consultants	\$	420.01	Samples
MN Pollution Control Agency*	\$	505.00	Annual Permit Fee
Total Sewer Disbursements	\$	2,136.43	

Garbage Fund

Richard's Sanitation	\$	2,453.35	Monthly service charge
Total Garbage Disbursements	\$	2,453.35	

Fire Department

Acentek	\$	64.95	Internet services
MiEnergy	\$	83.15	Electric: Fire Hall
MiEnergy	\$	32.24	Electric: Cooler
MN Energy Resources*	\$	171.67	Gas: Fire Hall
Lydon Electric Motors	\$	598.22	M28 Lithium Ion batteries
Sandry Fire Supply	\$	572.25	Structural Boots
Hammell Equipment	\$	470.07	batteries
Kingsley Mercantile	\$	26.67	repair supplies
Total Fire Department Disbursements	\$	2,019.22	

Total Monthly Disbursements **\$ 27,397.83** * EFT Payments



Office of the FILLMORE COUNTY SHERIFF

JOHN DEGEORGE Sheriff
LANCE BOYUM Chief Deputy
901 Houston St. NW
PRESTON, MN 55965-1080

Tel: 507-765-3874
Emergency Dial 911
Fax: 507-765-2703

Date: March 1st, 2024

To: Canton City Council

From: Jason Harmening, Deputy Sheriff
John DeGeorge, Fillmore County Sheriff

Re: Quarter 1 2024 Council Report

Calls for Service / Patrol Activity:

Reported Date	Title	Street Name
2023-12-03	Domestic Disturbance	HWY 52
2023-12-06	Traffic	HWY 52
2023-12-06	Trespass Complaint	MAIN ST
2023-12-07	Traffic	HWY 52
2023-12-08	Traffic	HWY 52
2023-12-08	Traffic	highway 52
2023-12-08	Traffic	highway 52
2023-12-12	Traffic	HWY 52
2023-12-17	Traffic	COUNTY 21
2023-12-22	Juvenile Complaint	OAK ST
2023-12-28	Traffic	HWY 52
2024-01-04	Death	MAIN ST
2024-01-07	Animal Complaint	351st AVE
2024-01-10	Warrant	MAIN ST
2024-01-12	Information	ASH ST
2024-01-13	911 Hang Up	HUDSON AVE
2024-01-15	Fraud/Scam	MAIN ST
2024-01-29	Ambulance	PRAIRIE AVE
2024-01-30	Information	PRAIRIE AVE



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Emergency Dial 911
Fax: 507-765-2703

2024-01-30	Ambulance	2nd ST
2024-02-02	Ambulance	OAK ST
2024-02-04	Domestic Disturbance	HUDSON AVE
2024-02-09	Assist	FILLMORE AVE
2024-02-10	Welfare Check	WEST ST
2024-02-10	Civil	HWY 52
2024-02-14	Papers	N 1st St
2024-02-20	Domestic Disturbance	HUDSON AVE
2024-02-27	Suspicious Activity	MAIN ST

CITY OF CANTON PERMIT APPLICATION

LAND USE

Names of all Landowners: Jeremy Hanson Phone #: 507-458-3865
Kyle Hanson Phone #: 563-203-0644
Phone #: _____

Property Address: 108 W Oak St PO Box 13

City, State, Zip: Canton, MN 55922

Parcel #: 090026010 Legal Description from deed, abstract or Recordors Office:
Canton original plat lot 23

Have you started work on this project? Yes: _____ No: ☒
Is there an access to this property? Yes: ☒ No: _____
Is this project located under a power line? Yes: _____ No: ☒

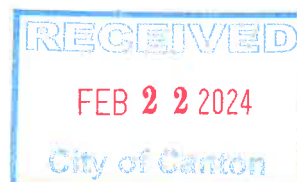
Proposed Project: shed/shop Total # of bedrooms —
(New home, addition, move in a structure, outbuilding or other.)

Estimated cost: _____

Total Square Footage:	Length		Width		Total
Basement	<u>60</u>	x	<u>35</u>	=	<u>2100</u>
1st level	_____	x	_____	=	_____
2nd level	_____	x	_____	=	_____
Attached Garage	_____	x	_____	=	_____
Porch or Deck	_____	x	_____	=	_____
Total Square Footage	_____	x	_____	=	_____

NO WORK MAY BEGIN UNTIL A PERMIT IS OBTAINED. IF WORK HAS BEGUN ON THE PROJECT BEFORE A PERMIT IS ISSUED, A \$400.00 LATE FEE MUST BE PAID IN ADDITION TO THE PERMIT FEE. The following projects are assessed \$7.50 per 100 square feet of living space; New Homes, home additions, porches, decks, attached garages, homes being moved in, and manufactured homes. All other structures are assessed at \$5.00 per 100 square feet (storage buildings, detached garages). A minimum is \$8.00.

TOTAL FEE 105.⁰⁰ (NO REFUNDS)



An aerial photo of the site must be provided with the application showing the location of the proposed construction. (Aerial photos are available from the Fillmore County Zoning Office.)

Measure and determine the following distances from the structure you are building:

1. Setback from center of a public road. 35'
2. Setback from Front yard. 37'
3. Setback from Rear yard. 23'
4. Setback from Side yard. 10'

SITE INSPECTIONS ARE REQUIRED FOR ALL NEW DWELLINGS. The footings must be dug and inspected before the actual construction of the dwelling may begin.

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of City of Canton, Fillmore County and the Statutes of the State of Minnesota.

Signatures of All Landowners

Jeremy Hanson 2-21-24
Name Date

Kyle E. Hanson 2/21/24
Name Date

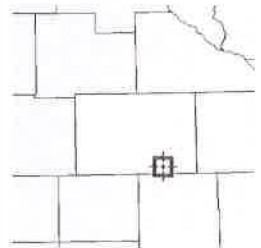
Name Date

Send all correspondence to:
City of Canton
PO Box 92
Canton, MN 55922

Office Use Only:	
Planning Commission Reviewed: <input checked="" type="checkbox"/> Recommend Approval <input type="checkbox"/> Denied	
<u>[Signature]</u> Zoning Administrator Signature	<u>2-26-24</u> Date
City Council meeting date: _____ <input type="checkbox"/> Approve <input type="checkbox"/> Deny	



Overview



Legend

-  Municipalities
-  Road Centerlines

Parcel ID 090026010 **Alternate ID** n/a
Sec/Twp/Rng -- **Class** 201 - 1A/1B/4BB RESIDENTIAL SINGLE UNIT
Property Address 108 OAK ST N **Acreage** 0.14
 CANTON
District (2401) CANTON CITY/SD #0238
Brief Tax Description CANTON ORIGINAL PLAT LOT-023 LOT 23
 (Note: Not to be used on legal documents)

Owner Address JEREMY R HANSON &
 KYLE E HANSON
 PO BOX 13
 CANTON, MN 55922

Date created: 2/21/2024
 Last Data Uploaded: 2/21/2024 8:55:47 AM

Developed by  **Schneider**
 GEOSPATIAL

Shed/shop 35' x 60'



BRETT A. CORSON
FILLMORE COUNTY ATTORNEY

MSBA Certified Criminal Law Specialist



Marla J. Stanton

Assistant Fillmore County Attorney

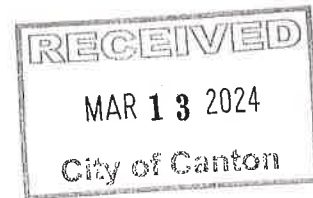
Melissa Hammell

Assistant Fillmore County Attorney

March 8, 2024

Canton City Clerk
106 N. Main St.
Canton, MN 55922

Whalan City Clerk
PO Box 7
Lanesboro, MN 55949



RE: State of Minnesota vs. Lolitta Melander
Fillmore County Court File No. 23-CR-19-671

Dear Whalan and Canton City Clerks and Councils:

Please find enclosed a copy of the Petition of Lolitta Melander for expungement of her conviction for theft or criminal taking of city funds from the cities of Canton and Whalan. As you can see, the next hearing is set for May 13, 2024, at 1:30 P.M. Please forward to my office any written objection you have to the petition for expungement so that I can file it with the court on your behalf. I need to receive your written objection no later than May 1, 2024. Please feel free to contact me if you have questions.

Respectfully,

Brett Corson

Brett A. Corson



Fillmore County Attorney's Office
101 W. Fillmore Street, P.O. Box 466, Preston, MN 55965
Telephone: (507) 765-2530 Fax: (507) 765-2536

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COPY

State of Minnesota

County of: Fillmore

Judicial District: _____

District Court

Court File Number: 23-CR-1967

Case Type: Criminal

State of Minnesota

Plaintiff

vs

Lolita M. Melander

Defendant

Date of Birth: 11/05/1967

Order Concerning Sealing/Expunging of Records (EXP105)

Minn. Stat. § 609A.02, subd. 3

On 3/7/2023 (date), the Court considered the *Petition for Expungement* in the above matter.

Appearances were:

☒ Petitioner (Petitioner is the same person as the Defendant in the underlying criminal matter)

☐ Prosecuting Authority: _____

☐ Other: _____

☐ Waived

The Court finds:

1. The Petitioner was charged with the crime(s) of: _____

2. ☐ The above-entitled criminal action was determined in favor of the Petitioner;

☒ The Petitioner successfully completed the terms of a diversion program or stay of adjudication and has not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication;

☐ The Petitioner was convicted of a petty misdemeanor or misdemeanor, or the sentence imposed was within the limits provided by law for a misdemeanor, and the Petitioner has not been convicted of a new crime for at least two years since discharge of the sentence for the crime;

- ☐ The Petitioner was convicted of a gross misdemeanor, or the sentence imposed was within the limits provided by law for a gross misdemeanor, and the Petitioner has not been convicted of a new crime for at least three years since discharge of the sentence for the crime;
- ☐ The Petitioner was convicted of a gross misdemeanor that is deemed to be for a misdemeanor pursuant to Minn. Stat. § 609.13, subd. 2 (2), and has not been convicted of a new crime for at least three years since discharge of the sentence for the crime;
- ☐ The Petitioner was convicted of a felony violation of Minn. Stat. § 152.025 and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime;
- ☐ The Petitioner was convicted of a felony that is deemed to be for a gross misdemeanor or misdemeanor pursuant to Minn. Stat. § 609.13, subd. 1(2), and has not been convicted of a new crime for at least five years since discharge of the sentence for the crime; or
- ☐ The Petitioner was convicted of a felony violation of an offense listed in Minn. Stat. § 609A.02, subd. 3(b): _____ and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime.
3. The Petitioner has petitioned for the sealing of all records relating to an arrest, indictment or information, trial, or verdict.
4. Petitioner was not convicted of an offense that requires registration under Minn. Stat. § 243.166.
5. ☒ The Petitioner has established that they have not been convicted of a felony or gross misdemeanor, either within or without the state, within the ten years immediately before the dismissal prior to a determination of probable cause, the prosecuting authority's decision to decline to file charges, or the grand jury's decision not to return an indictment.
6. Proper notice ☒ has / ☐ has not been given including notice to any victim if required.
7. ☒ For petitions filed under Minn. Stat. § 609A.02, subd. 3(a)(3-8) (petitioner was convicted), the Petitioner ☒ has / ☐ has not established by clear and convincing evidence that expunging the record would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety of sealing the record and burdening the court and public authorities to issue, enforce, and monitor an expungement order, as required by Minn. Stat. § 609A.03, subd. 5(a): _____
- _____
- _____

OR

☒ For petitions filed under Minn. Stat. § 609A.02, subd. 3(a)(1) (all actions or proceedings resolved in petitioner's favor), or subd. 3(a)(2) (petitioner successfully completed terms of diversion or stay of adjudication), the law enforcement agency, government agency, or jurisdiction whose records would be affected ☐ has / ☐ has not established by clear and convincing evidence that the interests of the public and public safety outweigh the disadvantages to the Petitioner of not sealing the record, as required in Minn. Stat. § 609A.03, subd. 5(b): _____

8. There ☐ is / ☒ is not a nexus between the criminal record to be expunged and the Petitioner's status as a crime victim.

IT IS ORDERED:

- ☐ 1. Petitioner's request for sealing/expunging of records is denied.
- ☐ 2. Petitioner's request for sealing/expunging of records is granted. All official records, including all records relating to the arrest, indictment or complaint, trial, and dismissal, shall be sealed by the agencies indicated in paragraph 4 below and the existence not disclosed without court order, except as authorized by law.
- ☐ 3. That for this offense only, all fingerprints and thumbprints, photographs and other identification data except for DNA samples, and all copies of duplicates thereof, shall be sealed by the agencies indicated in paragraph 4 below.
- ☐ 4. This order applies to the following agencies:
- | | |
|--|--|
| <input type="checkbox"/> District Court | <input type="checkbox"/> _____ County Attorney |
| <input type="checkbox"/> _____ County Sheriff | <input type="checkbox"/> _____ City Police Dept. |
| <input type="checkbox"/> _____ City Attorney | <input type="checkbox"/> Probation/Court Services Dept: |
| <input type="checkbox"/> Bureau of Criminal Apprehension | _____ |
| <input type="checkbox"/> Department of Corrections | <input type="checkbox"/> Department of Human Services |
| <input type="checkbox"/> Department of Public Safety | <input type="checkbox"/> Department of Natural Resources |
| <input type="checkbox"/> Minnesota Attorney General | <input type="checkbox"/> _____ |

- ☐ 5. This order, which finds a nexus between the criminal record and the Petitioner's status as a crime victim, restores the Petitioner to the status occupied before the arrest. The Petitioner will not be guilty of perjury for failure to acknowledge the arrest or proceeding in response to any inquiry made for any purpose.
- ☐ 6. The court administrator shall send a copy of this expungement order to each agency and jurisdiction whose records are affected, and send a copy of this order to the Petitioner along with notice identifying each agency that was sent a copy of the order.
7. The Petitioner shall continue to be prohibited from shipping, transporting, possessing, or receiving a firearm for the remainder of the Petitioner's lifetime if the conviction was for a crime of violence and an order was not issued under Minn. Stat. § 609.165, subd. 1d.
- ☐ 8. Other: _____

NOTE: This order is stayed for 60 days, during any appeal, and until any remaining restitution or other financial obligation on the case is paid in full. Records will not be sealed until after this time.

Dated: _____
Judge of District Court

COPY

Filed In District Court
State of Minnesota

FEB 29 2024

State of Minnesota

County

Fillmore

District Court

Judicial District:

Third

Court File Number:

23-CR-19-671

Case Type:

Criminal

State of Minnesota

VS

Lolita M. Melander

Defendant

Proof of Service

I, Lolita M. Melander (name of person who mailed the documents), state that on 2/14/24 (date), I served the attached documents, *Notice of Hearing and Petition for Expungement* and proposed *Order*, by mailing true and correct copies to the parties checked below at the addresses listed by putting envelopes with sufficient postage in the U.S. Mail in the City of Rochester.

1 <input checked="" type="checkbox"/> MN Bureau of Criminal Apprehension CJIS-CCH-Court Orders / Petitions 1430 Maryland Avenue East St. Paul, MN 55106 (Required)	5 <input checked="" type="checkbox"/> _____ County Dept. of Corrections (Probation) (Required)	9 <input type="checkbox"/> MN Dept. of Human Services Office of Inspector General, Legal Counsel Office P.O. Box 64953 St. Paul, MN 55164-0953 (check box & use if related to your case)
2 <input checked="" type="checkbox"/> Office of the MN Attorney General Suite 1800 NCL Towers 445 Minnesota Street St. Paul, MN 55101 (Required)	6 <input checked="" type="checkbox"/> _____ County Sheriff's Office Attn: Records (Required)	10 <input type="checkbox"/> MN Dept. of Health 85 E. 7 th Place, #220 P.O. Box 64970 St. Paul, MN 55164-0970 (check box & use if related to your case)
3 <input checked="" type="checkbox"/> MN Dept. of Corrections Attn: Records 1450 Energy Park Drive, Ste. 200 St. Paul, MN 55108-5219 (Required)	7 <input type="checkbox"/> _____ Police Dept. Attn: Records (check box & use if related to your case)	11 <input type="checkbox"/> MN Dept. of Natural Resources 500 Lafayette Road Box # 47 St. Paul, MN 55155-4040 (check box & use if related to your case)
4 <input checked="" type="checkbox"/> _____ County Attorney's Office Attn: Criminal Records (Required)	8 <input type="checkbox"/> _____ City Attorney's Office (Prosecutor) Attn: Criminal Division (check box & use if related to your case)	12 <input type="checkbox"/> MN Department of Public Safety _____ Division 445 Minnesota Street St. Paul, MN 55101-5155 (check box & use if related to your case)

<p><u>13</u></p> <p><input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(check box & use if related to your case)</p>	<p><u>14</u></p> <p><input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(check box & use if related to your case)</p>	<p><u>15</u></p> <p><input type="checkbox"/></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(check box & use if related to your case)</p>
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I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

2/14/24
Date

County and state where signed:
Fillmore, MN

Loretta M. Melander
Signature (person who mailed the papers)
Printed Name: Loretta M. Melander
Address: 5041 Weatherstone Cir NW
City/State/Zip: Richerton MN 55901
Telephone: 507-251-6099

COPY

Filed in District Court
State of Minnesota

FEB 29 2024

See Instructions (EXP101) for help in filling out this form.

State of Minnesota

County of: Fillmore

Judicial District: _____

District Court

Court File Number: 23-CR-19-671

Case Type: Criminal

State of Minnesota

Plaintiff

VS

Lolitta Marie Melander

Defendant

Cell: 507-216-1380

Notice of Hearing and Petition for Expungement (EXP102)

Minn. Stat. § 609A.03 or Inherent Authority

Notice to Law Enforcement / Government Agency / Prosecutor: Any objection to an expungement in this case shall be filed with the court as soon as possible, and within 60 days.

Hearing Information

The hearing in this case is scheduled on:

Date: _____, at _____ ☐ a.m. / ☐ p.m.

The hearing will be:

☒ **Remote using Zoom** (See the "Remote Hearing Information" Help Topic online at www.mncourts.gov/Remote-Hearings.aspx.)

Zoom meeting ID: _____

Passcode: _____

OR

☐ **In Person**

Courthouse address: _____

Courtroom number: _____

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Petition for Expungement

1. List your full name:

First: Lolitta

Middle: Marie

Last: Melander

2. List any other legal names or aliases you have been known as: NO

3. List your date of birth: 11/05/1967

4. List your current address:

Street Address: 5041 Weatherstone Circle NW

City, State, Zip: Rochester, MN 55901

5. List all the other addresses you have lived at since the date of the offense for which you are seeking an expungement: (give the street address, city, and state)

☐ Check this box if you have only lived at your current address (listed in #4) since the date of the offense.

35318 Fairway Rd

Lanesboro, MN 55949

6. Reasons for this Request.

Why are you asking for an expungement?

Include the following information:

- Whether you are asking for an expungement for employment, housing, or licensure reasons;
- The statutory or other legal authority under which you are seeking an expungement; and
- Why an expungement should be granted (give specific details).

I am asking for an expungement because:

1 year is up + I paid \$20,000⁰⁰ already
to Fillmore County for expungements

This has been really hard on my family but has made me a better person.

Add another sheet if needed.

7. **Criminal Record.** Minnesota law requires you to give the full record of all your criminal convictions for misdemeanors, gross misdemeanors, or felonies; and criminal charges (including all criminal charges that have been continued for dismissal, stayed for adjudication, or have been the subject of pretrial diversion).

Give the following details about your criminal record (include information from Minnesota and any other state, federal court, and foreign countries):

- All charges, convictions, stays of adjudication or impositions of sentence, whether the conviction happened before or after the offense for which you are seeking expungement; and
- All pending charges or actions for misdemeanors, gross misdemeanors, or felonies.

Case #	County-State	Type of Charge	Date of Offense	Conviction Yes/No	Date of Conviction (if Yes)
23-02-19-67	Hillmore, MN	Criminal	3/1/23	Y	3/1/23

Add another sheet if needed.

8. **Past Requests.** Have you ever asked for an expungement, pardon, or sealing of a criminal record before (whether for this offense or for any other offense, and whether it was granted or not)? ☐ Yes ☒ No

If yes, list each other request for an expungement, pardon, or sealing of a criminal record you have made: _____

Add another sheet if needed.

9. Qualification for Expungement.

Why do you qualify for an expungement?

- ☐ A criminal case against you for a controlled substance violation has been dismissed and the proceedings have been discharged. [Use *Order Concerning Sealing/Expunging of Record* - Minn. Stat. § 609A.02, subd. 1 or 2 (court form EXP106).]
- ☐ You were certified or referenced for prosecution as an adult for a crime you committed when you were a juvenile. [Use *Order Concerning Sealing/Expunging of Record* - Minn. Stat. § 609A.02, subd. 1 or 2 (court form EXP106).]
- ☐ A criminal matter was resolved in your favor. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105).]
- ☒ You successfully completed the terms of a diversion program or stay of adjudication, and you have not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105).]
- ☐ You were convicted of a petty misdemeanor or misdemeanor, or the sentence imposed was within the limits provided by law for a misdemeanor, and you have not been convicted of a new crime for at least two years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105).]
- ☐ You were convicted of a gross misdemeanor, or the sentence imposed was within the limits provided by law for a gross misdemeanor, and you have not been convicted of a new crime for at least three years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105)].
- ☐ You were convicted of a gross misdemeanor that is deemed to be for a misdemeanor pursuant to Minn. Stat. § 609.13, subd. 2(2), and you have not been convicted of a new crime for at least three years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105)].
- ☐ You were convicted of a felony violation of Minn. Stat. § 152.025, and you have not been convicted of a new crime for at least four years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records* - Minn. Stat. § 609A.02, subd. 3 (court form EXP105)].

- ☐ You were convicted of a felony that is deemed to be for a gross misdemeanor or misdemeanor pursuant to Minn. Stat. § 609.13, subd. 1(2), and I have not been convicted of a new crime for at least five years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].
- ☐ You were convicted of a felony violation of an offense listed in Minn. Stat. § 609A.02, subd. 3(b), and have not been convicted of a new crime for at least four years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].
- ☐ You were convicted of an offense that does not qualify for expungement under Minn. Stat. § 609A.02, subd. 3, but you believe you have rehabilitated yourself. You believe that the benefit to you outweighs the disadvantage to the public and the burden on the court. [Use *Findings of Fact, Conclusions of Law and Order to Seal/Expunge Judicial Records Only* (court form EXP107).]

10. Offense Details. What is the offense you want to expunge?

Case #: 23-CR-19-671

Jurisdiction/City where the offense occurred: Fillmore City

Type of offense: Criminal

Date of offense: 3/1/23

11. Victims. Were there any identifiable victims in this case? ☐ Yes ☒ No

If Yes, list the names of the victims: _____

12. Protection, Restraining, or No-Contact Orders. Is there now, or has there ever been, an Order for Protection, Restraining Order, or other No-Contact Order prohibiting you from contacting the victims?

☐ Yes. [Include copies of any orders with this *Petition*.]

☒ No.

☐ N/A (not applicable because there were no identifiable victims in this case).

13. Personal Rehabilitation. Describe what steps you have taken since the time of the offense toward personal rehabilitation, including treatment, work, or other personal history that demonstrates rehabilitation.

I have taken the following steps toward personal rehabilitation:

I am a better person by this experience. I
give back to our society as much as possible.
I am divorced now and feel free of my past
burdens with mental issues. I love life + will only
keep growing my knowledge + love for life.
Add another sheet if needed.

14. Do you want to ask the court to seal any private or confidential data submitted by the responding agencies or other jurisdictions? [Minn. Stat. § 609A.03, subd. 3(d)]
☒ Yes ☐ No
15. Do you want to ask that, if an expungement is ordered, each agency and jurisdiction that receives the order must send a letter to you at the address provided confirming receipt of the expungement order and that the record has been expunged? [Minn. Stat. § 609A.03, subd. 8(b)]: ☒ Yes ☐ No
16. **Mitigating or Aggravating Factors.** Explain any mitigating or aggravating factors relating to the underlying crime, including your level of participation, the context and circumstances of the underlying crime, and what risk, if any, you pose to individuals or society. _____

Add another sheet if needed.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116

Date: 2/14/2024

County and state where signed:

Hillman, MN

Signature: _____

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

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