

Filed in District Court
State of Minnesota

Jun 1 2023 12:28 PM

State of Minnesota

County Ramsey

District Court

Judicial District:	Second
Court File Number:	62-HR-CV-21-361
Case Type:	Harassment

In the Matter of:

Steven James Anderson

Petitioner(s)

Continuance Order

vs.

Timothy Allyn Hutchinson

Respondent(s)

The above-entitled matter came on for a hearing before the undersigned on: June 1, 2023

Appearances:

The Petitioner did / did not appear.

The Respondent did / did not appear.

Other appearances: Attorney DANIEL JOHN VAN LOH for Petitioner

Based on statements of the parties, the Court FINDS:

1. A continuance is necessary because:

an evidentiary hearing is needed.

THEREFORE, IT IS ORDERED THAT:

1. **Hearing**

a. Evidentiary Hearing

- i. REMOTE: This matter is continued for a remote evidentiary hearing on July 10, 2023 at 1:30 PM before Referee Elizabeth Clysdale. SEE NOTICE OF HEARING. All parties, attorneys and witnesses must join the Zoom hearing by video and not join by audio only unless otherwise authorized by the court. Failure to appear may result in the court proceeding by default.

To Join a Remote Hearing, see the REMOTE HEARING INSTRUCTIONS included with the Notice of Hearing.

If you have not received that notice or if you have any problems joining the hearing, contact the Ramsey County Domestic Abuse/Harassment Office immediately at 651-266-5130.

AND

b. All attached instructions shall be followed unless otherwise ordered.

2. The same terms of the order issued on May 18, 2023 remain in effect.

3. The Court Administrator shall serve a copy of this order to the attorneys by eService and upon self-represented parties by mail to the party's last known address unless personal service is required by MN Statute § 518B.01

Respondent's address is: 1773 Garden Ln White Bear Township, MN 55110

4. Exhibits:

DO NOT E-FILE EXHIBITS INTO THE CASE. DOING SO MAY RESULT IN THE FILING BEING REJECTED.

a. **Submitting Exhibits**

Parties shall submit their exhibits through Minnesota Digital Exhibit System (MNDES) at least **three (3) business days** prior to the hearing. See additional instructions attached.

b. **Exchanging Exhibits**

Unless otherwise directed below, parties shall exchange exhibits by e-mail at the e-mail addresses listed below no later than three (3) business days before the hearing unless otherwise ordered.

If you are e-mailing the other party and not an attorney, YOU MAY ONLY EMAIL YOUR EXHIBITS AND THE SUBJECT LINE AND CONTENT OF THE EMAIL MUST ONLY STATE THE COURT FILE NUMBER AND "EXHIBITS". **Any other communication may be a violation of an existing Order for Protection or Harassment Restraining Order.**

- Petitioner's or Attorney's e-mail address: dan@capvanloh.com
- Respondent's or Attorney's e-mail address: MrMrHutchinson@gmail.com

c. **Failure to Comply**

Parties shall review the directions above and the attached instructions regarding exhibits.

If you fail to follow these instructions, your exhibits may not be admitted.

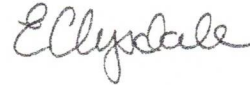
The Ramsey County Sheriff's department and the Saint Paul Police Department shall help the Petitioner execute and/or serve this Order, without charge. Peace officers licensed by the State of Minnesota and correction officers, including, but not limited to, probation officers, court services officers, parole officers and employees of jails or correctional facilities may serve an Order for Protection or Harassment Restraining Order. If the application for relief is brought in a county in which the Respondent is not present, the sheriff shall forward the pleadings necessary for service upon the Respondent to the sheriff of the county in which the Respondent is present. This must be expedited to allow for timely service.

Domestic Abuse Orders for Protection: Under federal law, every Police Department and Sheriff's office in the United States, including Washington D.C. and tribal and territorial lands is responsible for enforcing this order. Enforcement of this order may include, but is not limited to, assisting in obtaining physical custody of child(ren), removing Respondent from the residence, and getting property back from the Respondent.

I have heard the facts to support this Order and I hereby recommend the Order

Dated: _____

Dated: _____



Clysdale, Elizabeth (Referee)
Jun 1 2023 12:28 PM

Referee of District Court

Judge of District Court

State of Minnesota
Ramsey County

District Court
Second Judicial District
Case Type: Domestic Abuse

Notice of Filing of Order

PLEASE TAKE NOTICE THAT you are hereby notified that the attached Order has been filed in this case. The date of filing is represented on the "FILED" stamp on the face of the order.

Donald Harper
Court Administrator
Ramsey County District Court
25 West Seventh Street
Saint Paul, MN 55102
651-266-5130

A true and correct copy of this notice has been served pursuant to Minnesota Rules of Civil Procedure, Rule 77.04.

EVIDENTIARY HEARINGS

LENGTH OF EVIDENTIARY HEARING

Plan for the hearing to last at least three (3) hours.

EXHIBITS (FOR REMOTE OR IN-PERSON HEARINGS)

- All exhibits must be pre-marked (numbered). Petitioner shall use numbers 1-100 and Respondent shall use numbers 101-200.
- You must upload your exhibits into the Minnesota Digital Exhibit System (MNDES) unless otherwise ordered. See order for deadline.
 - Helpful Tips:
 - Include a brief description of your exhibit in the name of the file you will upload.
- If you are authorized to submit your exhibits directly to District Court Records, you must mail or drop off your exhibits by the deadline stated in the order to:

District Court Records
Attn: Prehearing Exhibits
15 W. Kellogg Blvd. #72
St. Paul, MN 55102

- Video/Audio. Pursuant to the Second Judicial District Standing Order, a party intending to introduce a recorded statement (video, and/or audio) must submit a verbatim transcript of the recorded statement.
 - Verbatim transcripts shall be submitted using the Minnesota Digital Exhibit System.
 - If authorized to submit exhibits to District Court Records, video/audio must be saved to a flash drive and sent/dropped off at the at the address listed above along with a verbatim transcript of each recorded statement.
- FOR IN-PERSON HEARING EXHIBITS:
 - A party intending to introduce a video/audio recording must bring in their own laptop to present the evidence. If you do not have a laptop, please contact the Ramsey County Domestic Abuse/Harassment Office at 651-266-5130
 - Bring copies of your exhibits with you to reference during the trial



Important Information About Hearing Exhibits

Hearing exhibits can now be submitted online through the Minnesota Digital Exhibit System (MNDES)!

Please submit your hearing exhibits in advance of your hearing by taking the following steps:

1. Register to use the MNDES online portal via <https://mncourts.gov/mndes.aspx>
2. To submit your hearing exhibits:
 - a. Log into the MNDES online portal,
 - b. Enter the county location and case number,
 - c. Upload your digital exhibits (audio, visual, images, and documents) by browsing or dragging and dropping exhibits using a computer, mobile phone, tablet, etc.
 - **Do not** combine exhibits; each exhibit must be uploaded individually and will be listed separately in MNDES and for the court record once uploaded; multiple separate exhibits can be submitted at the same time
 - **Do not** combine exhibit files into a zipped file and upload as one exhibit
 - **Do not** zip or compress an exhibit file prior to upload, upload the exhibit file in its native format
 - d. Update the Exhibit Name so that it briefly describes the content and is easily identifiable
 - e. **Do not** include an Exhibit Number unless instructed by the judicial officer to do so

Training materials and other resources available at <https://mncourts.gov/mndes.aspx>

Submitting exhibits via MNDES is how exhibits are submitted to the court. You must also follow Court Rules at <https://mncourts.gov/SupremeCourt/Court-Rules.aspx> concerning exhibits, **including sending the exhibits to other parties involved in your case in advance of the hearing/trial**, unless there is a court order that directs you to not contact another party such as an Order for Protection (OFP), Harassment Restraining Order (HRO), or Domestic Abuse No Contact Order (DANCO). If this applies to you, contact the court for assistance.

You must also specifically “offer” or ask the Judge to allow your exhibit(s) to be accepted as evidence in your case at the time of the hearing/trial. Just because you submitted them through MNDES does not mean they will be reviewed and considered by the Judge.

Finally, you are responsible for displaying exhibits at the hearing so you must bring your own personal computer or other device to present or display your exhibits in the courtroom.

EVIDENTIARY HEARINGS CONTINUED

WITNESSES

- Not all witnesses will necessarily be allowed to testify.
 - The basic rule is that a witness must have first-hand knowledge.
- Written statements from witnesses who are not present at the evidentiary hearing/trial will generally not be admitted into evidence.
- Upon request, the Court will issue subpoenas which require witnesses to appear for trial.
- Subpoenas may be obtained from the Ramsey County Domestic Abuse and Harassment Office (651-266-5130). More information about subpoenas can be found at <http://www.mncourts.gov/Help-Topics/Subpoenas.aspx>.
- REMOTE HEARINGS:
 - If you want to have a witness testify, you have to give the witness the REMOTE HEARING INSTRUCTIONS so they know how to join the Zoom Hearing.
 - Witnesses must join the Zoom Hearing by video.
 - Witnesses must join the Zoom Hearing at the start of the hearing and they will be put in a virtual waiting room until they testify.
 - Witnesses cannot be in the same room as a party when they testify.
- IN PERSON HEARINGS:
 - Witnesses must be present in person.

The Judicial Officer will conduct the evidentiary hearing/trial using the Minnesota Rules of Civil Procedure, the Minnesota Rules of Evidence, and the Minnesota General Rules of Practice. You can find these rules at https://www.revisor.mn.gov/court_rules/.

Evidentiary Hearings/Trials are complicated. You are encouraged to get advice from a lawyer. Information about representing yourself in court can be found at <http://www.mncourts.gov/Help-Topics/Representing-Yourself-in-court.aspx>.