

STATE OF MINNESOTA

IN SUPREME COURT

A18-0337

Jack Willis Nissalke,

Appellant,

VS.

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**APPELLANT'S MOTION AND
NOTICE OF MOTION TO DENY
THE STATES UNTIMELY FILED
BRIEF**

State of Minnesota,

Respondent,

District Court Case No. 85-CR-08-1884

Supreme Court Case No. A18-0337

TO; The Minnesota Supreme Court, 305 Minnesota Judicial Center, 25 rev. Dr. Martin Luther King Jr. Blvd. St.Paul, MN. 55155, Minnesota Attorney General / Lori Swanson 1400 Bremer Tower 445 Minnesota Street, St. Paul. MN. 55101-2131, Winona County Administrator and Winona County Attorney Karin Sonneman, 171 West Third Street, Winona MN. 55987, and Jennifer D. Plante Olmsted County Attorney, 151 Fourth Street Southeast, Rochester, MN. 55904

Appellant Jack Willis Nissalke respectfully asks the Supreme Court of Minnesota for a motion denying the states brief, as it is untimely. The state has failed to file their brief pursuant to Minn. R. Civ. App. P. Rule 131.02 Subd. 2 Respondent's Brief. The respondent shall serve and file a brief and addendum, if any, within 30 days after service of the brief of the appellant or the last appellant brief, if there are multiple appellant's, or within 30 days after the delivery of a transcript ordered by respondent pursuant to Rule 110.02, Subdivision 1, whichever is later.