

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF WINONA

THIRD JUDICIAL DISTRICT

File No. 85-CR-23-937

State of Minnesota,

Plaintiff,

**DEFENDANT'S NOTICE OF MOTION
AND MOTION FOR RESTRICTIVE
ORDER PURSUANT TO MINNESOTA
RULE OF CRIMINAL PROCEDURE 25.03**

Adam Taylor Fravel,

Defendant.

TO: The Honorable Nancy L. Buytendorp, Third Judicial District Court Judge, and
Karin L. Sonneman, Winona County Attorney, 171 West Third Street, Winona,
MN 55987

PLEASE TAKE NOTICE that prior to the commencement of the pretrial evidentiary hearing scheduled for March 19, 2023, at 10:00 a.m. at the Winona County Courthouse located in the city of Winona, Minnesota, or as soon as counsel may be heard, the Defendant in the above-entitled matter, pursuant to Minnesota Rules of Criminal Procedure 25.03, will move the Court for an Order(s) as follows:

1. For a "Restrictive Order" preventing public access to any audio/video statements made by the Defendant to law enforcement that may be offered as exhibits by either party during the course of the pretrial evidentiary hearing currently scheduled to commence on March 19-20, 2023. Specifically, covering statements made by the Defendant to law enforcement on March 31, 2023, April 1, 2023 & April 2, 2023.

Said motion is to be based upon the entire court file, arguments of the parties, and the following:

Defendant has filed a motion seeking suppression of his statement made to law enforcement on April 2, 2023. In responding to the Defendant's motion, it will be necessary for the Plaintiff to offer into evidence the Defendant's statements to law enforcement on March 31, 2023, April 1, 2023 & April 2, 2023. These statements contain a substantial amount of material facts and information that has not previously been made public.

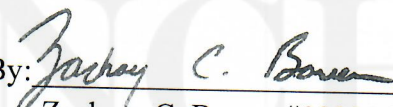
Defendant has filed a motion seeking a change of venue alleging that he cannot receive a fair and impartial trial in Winona County because of extensive media coverage. It is likely that there will continue to be extensive public interest and media coverage in Winona County as the case proceeds to trial. Should public access to the Defendant's statements be allowed, the Court will have no control over the manner, amount, content, and accuracy of the information consumed by potential residents of Winona County. As a jury will not be selected until the commencement of the jury trial, the Court lacks the ability to control or limit the amount, manner, content, accuracy and prejudicial impact of the evidence and information that was presented during these interviews by potential trial jurors.

Defendant believes there exists no reasonable alternative other than the above restrictive order that will ensure the fair and impartial administration of justice in the case. Defendant has discussed the possibility of an order restricting public access to the Defendant's statements made to law enforcement on March 31, 2023, April 1, 2023 & April 2, 2023 with Plaintiff's legal counsel who is in agreement that a restrictive order(s) as requested in the above motion is appropriate and has no objection to the court issuing the proposed restrictive order.

Respectfully Submitted,

MESHBESHER & SPENCE, LTD.

Dated: March 19, 2024

By: 
Zachary C. Bauer, #033294x

Attorney for Defendant

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