



## Office of Dakota County Attorney

KATHRYN M. KEENA  
County Attorney

Dakota County Judicial Center  
1560 Highway 55  
Hastings, MN 55033  
Email: [attorney@co.dakota.mn.us](mailto:attorney@co.dakota.mn.us)  
P: 651-438-4438, F: 651-438-4499

February 27, 2025

The Honorable Michael Mayer  
Judge of District Court  
1560 Highway 55  
Hastings, MN 55033

Re: State of Minnesota vs. Phillip Randall Vance  
Court File No.: 19-K6-04-000736  
Our File No.: CA-2003-02679

Dear Judge Mayer

I am in receipt of the amended petition for post-conviction relief filed in the above-entitled matter. As the court is aware, there was a first petition for post-conviction relief filed December 14, 2022, and a request to toll the time for a memorandum to be filed by Petitioner until completion of the work of the Minnesota Attorney General's Office's Conviction Review Unit (CRU), which is conducting an independent review and investigation of Petitioner's first-degree murder conviction at the Petitioner's request. I have attached the order signed by Judge Moynihan for your convenience.

Both parties have been informed that the CRU has nearly completed its work reviewing Petitioner's conviction and that a final report is expected soon. Given that the CRU's independent review and investigation is directly related to many of the claims made by the Petitioner, the State respectfully requests that it have 45 days from the date of receipt by the parties of the CRU's final report before filing any answer to the amended post-conviction petition, and its accompanying memorandum and exhibits. The amount requested is the same time originally sought by Petitioner in this matter and is permitted by Minn. Stat. § 590.03. Finally, this request is in the interests of both justice and judicial economy, given that many of the claims raised here in Petitioner's request for post-conviction relief have also been raised in his request for review of his conviction by the CRU.

Thank you in advance for your consideration in this matter.  
Sincerely,

*/s/ Cheri A. Townsend*

Cheri A. Townsend  
Chief Deputy

Cc: Nicolas Ratkowski  
kt

State of Minnesota  
Dakota County

District Court  
First Judicial District

Court File Number: **19-K6-04-000736**

Case Type: Serious Felony

The State of Minnesota vs. PHILLIP  
RANDALL VANCE,[RR]

**JUDICIAL ORDER**

**ORDER**

Petitioner has requested to delay the filing of his post conviction relief memorandum until the Minnesota Attorney General's Conviction Review Unit (CRU) has completed its investigation of his conviction. The Dakota County Attorney's Office does not object so long as that is not considered a waiver of any arguments it may have regarding the timeliness of Mr.Vance's petition.

Petitioner's request to file his memorandum within 45 days after the completion of the CRU's investigation is granted. The state's response will be due within 20 days after Petitioner has filed his memorandum.

The District Court Administrator shall have this case assigned to a Dakota County judge.

Dated: January 5, 2023

BY THE COURT

*Shawn M. Moynihan*  
Moynihan, Shawn  
2023.01.05 11:12:33  
-06'00'

Shawn M. Moynihan  
Presiding Judge of Dakota County

**Filed in District Court  
State of Minnesota  
JAN 10 2023**