

STATE OF MINNESOTA  
IN COURT OF APPEALS



State of Minnesota,

Appellant,

vs.

Annette Marie Klapstein,

Respondent (A17-1649),

Emily Nesbitt Johnston,

Respondent (A17-1650),

Steven Robert Liptay,

Respondent (A17-1651),

Benjamin Gary Joldersma,

Respondent (A17-1652).

**RESPONDENTS'  
MOTION TO DISMISS**

**A17-1649**

**A17-1650**

**A17-1651**

**A17-1652**

---

PLEASE TAKE NOTICE that Respondents, by and through undersigned counsel, hereby move the Court for an Order dismissing the consolidated appeals filed by Appellant on the grounds that Appellant has not demonstrated that the District Court's Order granting Respondents' request to present evidence on the defense of necessity will have a critical impact on the outcome of the trial. This Motion is based upon all files, records, proceedings, and the attached Memorandum.

Dated: October 30, 2017

Respectfully submitted,

LAW OFFICE OF JOSHUA R. WILLIAMS

A handwritten signature in black ink, appearing to read "T.M. Phillips". The signature is stylized and somewhat cursive.

TIM M. PHILLIPS

License No. 0390907

2836 Lyndale Avenue South, Suite 160

Minneapolis, Minnesota 55408

(612) 486-5540

ATTORNEY FOR RESPONDENTS