

DISTRICT COURT

NINTH JUDICIAL DISTRICT

CRIMINAL DIVISION

**STATE OF MINNESOTA,
PLAINTIFF,**

VS.

**TIMOTHY C. HOLMSETH,
DEFENDANT,**

COURT FILE NO. 60-CR-11-2640

COMPLAINT PROSECUTORIAL MISCONDUCT

* * * * *

January 14, 2014

Dear Administrator,

I am filing a Complaint against Attorney Ronald Galstad.

This complaint is in regards to violations of ethics, Minnesota law, federal law, Minnesota Constitution, and the United States Constitution.

This Complaint contains new facts that are emerging regarding and support my Complaint dated June 24 and June 26, 2013, which was forwarded to the Minnesota Lawyer Board by Judge Yon on July 9, 2012.

Per the rules of the Office of Lawyers Professional Responsibility (OLPR), the Director of the OLPR cannot investigate a complaint that is reported by the Defendant while the case is still open.

This case is still open.

The exception to the aforementioned rule is the Complaint can be forwarded to the Director and an investigation can be requested by the presiding Judge.

I am asking Judge Yon please forward this to the OLPR and/or any other law enforcement or investigative agency she sees fit.

Respectfully,
Timothy Charles Holmseth

Cc: Ronald Galstad, Barb Erdman, Greg Widseth, Michael Hedlund, Traci Kapella

AFFIDAVIT OF TIMOTHY CHARLES HOLMSETH

FOR ADDITIONAL FILES AND DOCUMENTS: MINNESOTA COURT FILE NO. 60-CR-11-2640 / POLK COUNTY, MINNESOTA

1. East Grand Forks City Attorney Ronald Irvin Galstad is engaging in criminal activity and prosecutorial misconduct.
2. Ronald Galstad/East Grand Forks Police Department/City of East Grand Forks/State of Minnesota (hereby referred to as THE PROSECUTION) and the Polk County Sheriff's Office (PCSO) has/is violating the rights of Timothy Charles Holmseth.
3. THE PROSECUTION has/is violated multiple sections of Minnesota State Statute, United States Statute, the Minnesota Constitution, and the United States Constitution.
4. THE PROSECUTION conspired with the PCSO to conceal the crime(s), obfuscate the facts, avoid prosecution, and continue the practice of violating COMPLAINANTS rights.
5. On December 14, 2012 the East Grand Forks Police Department (EGFPD) executed a search warrant on the home-office and vehicle of Timothy Charles Holmseth (hereby referred to as COMPLAINANT).
6. Evidence seized by the EGFPD during the execution of the search warrant was placed into bags that had Bureau of Criminal Apprehension (BCA) stickers on them.
7. Among the many items seized was a Western Digital hard-drive bearing serial number WCAS87169279.
8. COMPLAINANT is a journalist and author. COMPLAINANT was/is Pro Se in multiple court case files and his computer/hard-drive contained privileged/protected information and communications.
9. The hard-drive contained files and interviews regarding the kidnapping of HaLeigh Ann-Marie Cummings, which had been turned over to the FBI.
10. Shortly after the aforementioned hard-drive was seized by the EGFPD on December 14, 2012, and in the custody of THE PROSECUTION, it was activated. The Administrator log reveals the hard-drive was activated on December 28, 2012 at 12:18 p.m. SEE SCREENSHOT IN ATTACHED EXHIBITS

11. **This is how the Administrator log was obtained:** The hard-drive was ordered to be returned and was returned to COMPLAINANT on April 26, 2013. When COMPLAINANT attempted to start the computer it would not boot. After multiple attempts COMPLAINANT looked inside the computer tower and found random plugs and cables unhooked and/or detached. He plugged the cables back in and again pushed the start button. The computer started. COMPLAINANT navigated to the Administrator log and took a picture of the screen with a screenshot command and saved it on a thumb-drive. After COMPLAINANT turned the computer off it never started again. Experts at Best Buy Inc. attempted to start the computer and was unsuccessful. The experts said the hard-drive can only be recovered in a forensic lab.
12. THE PROSECUTION did not have legal authority to perform a forensic search of the hard-drive. THE PROSECUTION did not have authority to activate the hard-drive or make changes to it. THE PROSECUTION did not have authority to view the contents of the hard-drive. The Search Warrant instructed the property be retained in accordance to law.
13. On January 4, 2013 THE PROSECUTION told Honorable Tamara Yon during a court proceeding that the Bureau of Criminal Apprehension (BCA) would not perform a forensic search of COMPLAINANT'S hard-drive without another warrant. Galstad also told Judge Yon he would be requesting the additional warrant.
14. When THE PROSECUTION told the Court on January 4, 2013 that it needed another warrant to search the hard-drive; THE PROSECUTION had already searched and/or activated and/or tampered with and/or made a copy of the hard-drive and/or stole files from the hard-drive.
15. THE PROSECUTION was actively breaking the law and violating COMPLAINANT'S rights, and the statements by THE PROSECUTION to Honorable Yon on January 4, 2013 about the BCA and a second warrant prove they knew it and were planning to continue the practice.
16. There is no record THE PROSECUTION ever requested the second warrant.
17. There is evidence the PROSECUTION continued to search (view) the contents of the hard-drive (in secret) in violation of State law and the United States Constitution by using the facilities of the PCSO.
18. On November 20, 2013 COMPLAINANT submitted a request to East Grand Forks Police Chief Michael Hedlund for all documents regarding the chain of evidence of the hard-drive. On December 6, 2013 Hedlund replied. He advised that no chain of evidence form was filled out and he had turned over all records regarding the situation.

19. On November 25, 2013 a MOTION TO COMPEL hearing was held. THE PROSECUTION called PCSO Sgt. Michael Norland to the witness stand. Norland testified he performed a search on the hard-drive on April 3, 2013.
20. November 25, 2013 was the first time COMPLAINANT was told the Sheriff's Office was involved in the case.
21. On November 27, 2013 COMPLAINANT submitted a request to Polk County Sheriff Barb Erdman for all records regarding and pertaining to the search of the aforementioned hard-drive. On December 4, 2013 Kristina Genereux, records clerk, PCSO provided COMPLAINANT a copy of Polk County Sheriff's Office Incident Report Number 13-000447. Genereux noted there were no other records regarding the matter.
22. On December 4, 2013 COMPLAINANT learned that Norland claimed to have received the hard-drive from Officer Aeisso Schrage with the Pine-to-Prairie Gang and Drug Task Force. This was the first time COMPLAINANT was aware that the Pine-to-Prairie Gang and Drug Task Force were involved.
23. The Pine-to-Prairie Gang and Drug Task Force is a federally funded program.
24. Neither the EGFPD nor PCSO provided (or generated) a "Report of Examination" for the activity that took place with the hard-drive on December 28, 2012.
25. Neither the EGFPD nor the PCSO provided (or generated) a "Chain of Evidence" form regarding the possession and/or physical whereabouts of the hard-drive while it was in police custody.
26. On December 6, 2013 COMPLAINANT contacted the BCA to inquire about their involvement in the case; the Pine-to-Prairie Gang and Drug Task Force; and the BCA evidence stickers used to label property seized from COMPLAINANT by the EGFPD.
27. Drew Evans, assistant superintendent, BCA told COMPLAINANT the BCA had no involvement in the case involving the hard-drive. Jill Oliveira, public relations, Minnesota Department of Public Safety told COMPLAINANT the BCA was not involved and did not attach any stickers to any evidence in the case.
28. The statements made to the Court by THE PROSECUTION on January 4, 2013 suggesting a relationship with the BCA and intent to obtain a proper warrant were deliberate acts of deception and show pre-mediation by Ronald Galstad to violate the rights of COMPLAINANT.
29. Sgt. Norland retroactively states, in an April 27, 2013 entry to an Incident Report he generated, that on March 29, 2013 he received a telephone call from Lt. Detective Rodney Hajicek, EGFPD. He states Hajicek called to discuss the

aforementioned hard-drive. He states that Hajicek told him the hard-drive was dropped off at the Polk County Sheriff's Office on December 15, 2012.

30. Sgt. Norland states in his report he received the hard-drive from Officer Aeisso Schrage, Pine-to-Prairie Gang and Drug Task Force.
31. Sgt. Norland does not state that he visually witnessed the hard-drive being dropped off on December 15, 2012. He does not attest to it. He does not state that he ever visually saw or handled the hard-drive until April 3, 2013. He only states what he claims Hajicek told him on the phone.
32. Sgt. Norland states he handled the hard-drive and performed a forensic search on April 3, 2013.
33. The documents obtained by COMPLAINANT from the EGFPD contain no record of the activity retroactively documented by Norland. There is no record of a 'phone call' from Hajicek to Norland. There is no chain of evidence. There is no report of examination.
34. Sgt. Norland's statements and records generated in his Incident Report were not authored with the intent to properly chronicle, preserve, record, or inform. Norland's statements were strategically authored to confuse the reader and obfuscate the true facts.
35. THE PROSECUTION willfully concealed from the Court the fact the hard-drive had been turned on and tampered with on December 28, 2012.
36. THE PROSECUTION willfully, with premeditation, claimed a (non-existent) relationship with the BCA while actively conspiring with the PCSO to secretly and illegally view the contents of the hard-drive
37. THE PROSECUTION has engaged in misconduct at a colossal scale. The negative ramifications of such conduct that may befall COMPLAINANT are so vast and far reaching they are beyond speculation.












































Samuel C. H
1/14/14

12/28/12

nd Alerts:

Shell

if

	Error	4/26/2013	5:46:23 PM	Application Hang	(101)	1002	N/A	DADDVSCO...
	Information	4/26/2013	5:38:18 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:38:08 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:34:20 PM	CI	CI Service	4130	N/A	DADDVSCO...
	Information	4/26/2013	5:34:15 PM	CI	CI Service	4129	N/A	DADDVSCO...
	Information	4/26/2013	5:34:15 PM	CI	CI Service	4137	N/A	DADDVSCO...
	Information	4/26/2013	5:28:45 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:28:10 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:26:46 PM	hpqcx08	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:26:41 PM	SecurityCenter	None	1800	N/A	DADDVSCO...
	Information	4/26/2013	5:26:29 PM	HPSLPVC	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:26:26 PM	hpqddsvc	None	0	N/A	DADDVSCO...
	Information	4/26/2013	5:26:26 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/28/2012	12:18:31 PM	hpqcx08	None	0	N/A	DADDVSCO...
	Information	12/28/2012	12:18:25 PM	SecurityCenter	None	1800	N/A	DADDVSCO...
	Information	12/28/2012	12:18:11 PM	HPSLPVC	None	0	N/A	DADDVSCO...
	Information	12/28/2012	12:18:09 PM	hpqddsvc	None	0	N/A	DADDVSCO...
	Information	12/28/2012	12:18:06 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	2:28:14 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	2:28:03 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	9:40:14 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	9:40:13 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	9:40:12 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	9:28:10 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	9:28:00 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	4:28:03 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	4:28:00 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/14/2012	2:10:24 AM	CI	CI Service	4103	N/A	DADDVSCO...
	Information	12/13/2012	11:28:15 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	11:28:04 PM	gupdate	None	0	N/A	DADDVSCO...
	Error	12/13/2012	9:46:43 PM	Application Hang	(101)	1002	N/A	DADDVSCO...
	Information	12/13/2012	6:28:01 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	6:28:00 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	4:28:04 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	4:27:10 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	4:27:09 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	4:27:04 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	1:28:12 PM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	1:28:02 PM	gupdate	None	0	N/A	DADDVSCO...
	Error	12/13/2012	10:07:12 ...	Application Hang	(101)	1002	N/A	DADDVSCO...
	Information	12/13/2012	8:28:00 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	8:28:00 AM	gupdate	None	0	N/A	DADDVSCO...
	Information	12/13/2012	3:28:03 AM	gupdate	None	0	N/A	DADDVSCO...

POLK COUNTY SHERIFF OFFICE

ORI MN0600000

INCIDENT REPORT

Case Number 13-000447

☐ Juvenile Incident CFS # 13CFS00005392 How Reported Phone Reported Date 03/29/2013

INCIDENT INFORMATION

Date Occurred 03/29/2013 to 03/29/2013 Day of Week Friday Time Occurred 1000 to 1000
Assigned 03/29/2013 1000
Dispatched Location
Arrived 03/29/2013 1000
Actual Location
Cleared 03/29/2013 1115
Incident Address 600 Bruce St District Crookston city
City, ST Zip Crookston, MN 56716 Sub-Beat

INCIDENT SYNOPSIS

On 3/29/2013 the Polk County Sheriff's Office assisted the East Grand Forks Police Department with the Forensic Examination of digital evidence.

Active.

REPORTING PARTY 1

Reporting Party East Grand Forks Police Sex Male Birth Date Age ☐ Juvenile
Eye Color Hair Color Race White Ethnicity Non-Hispanic Height Weight
DL # Other ID # Other ID Type

SEASONAL ADDRESS

Address 520 Demers Ave City East Grand Forks State MN Zip 56721
Seasonal Phone # 2187731104 Cell Phone # Work Phone #

PERMANENT ADDRESS

Address City State Zip Country
Perm. Phone # Parent Cell # Work Phone #

Notes

Additional Description -

OFFENSE 1

Offense	Date	State Statute	UCR	AB Group	
Assist Other Agency	03/29/2013			B	
Activity	Weapon	Special Circumstances	LINKED SUSPECT(S) No linked suspects. LINKED VICTIM(S) No linked victims.		
Operating/Promoting / Assisting	Unknown				
Status	Assisted / Advised_9000	Location	Government / Public Building		
Method of Entry		Location #2			
Point of Entry		Gang Activity	No gang activity		
No. Premises Entered		Premises Inhabited	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	<input type="checkbox"/> Bias / Hate Crime	Victim(s) suspected of using	<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computer Equip <input checked="" type="checkbox"/> Not Applicable		
Type					
Target Code					
Affiliation					

PROPERTY 1

Loss Code	Property Code	Disposition
Unknown	Any not fitting in other categories	Unknown
Description	Cell phone	
Quantity	Value	Weight
1		
Serial Number	<input type="checkbox"/> Lost Property <input type="checkbox"/> Found Property	
Date Recovered	Recovery ORI	Evidence #
Make	LG	
Model	Style	Color
VX11000		
Year		
Drug Qty.	Est. Value	Type Drug Measurement
	\$50.00	
Suspected Drug Type		
No. of Vehicles		
Stolen		Other
Recovered		Other

PROPERTY 2

Loss Code	Property Code	Disposition
Unknown	Office equipment	Unknown

Description 500 GB hard drive.

Quantity	Value	Weight	Serial Number	<input type="checkbox"/> Lost Property	Associated Offenses
1			WCAS87169279	<input type="checkbox"/> Found Property	
Assist Other Agency					

Date Recovered	Recovery ORI	Evidence #	Make
			Western Digital

Model	Style	Color	Year

Drug Qty.	Est. Value	Type Drug Measurement	Suspected Drug Type
	\$50.00		

No. of Vehicles

Stolen	Other
Recovered	Other

PROPERTY 3

Loss Code	Property Code	Disposition
Unknown	Any not fitting in other categories	Unknown

Description trackphone

Quantity	Value	Weight	Serial Number	<input type="checkbox"/> Lost Property	Associated Offenses
1				<input type="checkbox"/> Found Property	
Assist Other Agency					

Date Recovered	Recovery ORI	Evidence #	Make

Model	Style	Color	Year

Drug Qty.	Est. Value	Type Drug Measurement	Suspected Drug Type
	\$50.00		

No. of Vehicles

Stolen	Other
Recovered	Other

PROPERTY ESTIMATED VALUE SUMMARY by LOSS CODE

All Codes		None	\$0.00	Counterfeited	\$0.00	Seized	\$0.00
No Code	\$0.00	Burned	\$0.00	Destroyed	\$0.00	Stolen	\$0.00
				Recovered	\$0.00	Unknown	

OTHER PERSON 1

Name	Type of Person	Sex	Date of Birth	Age	<input type="checkbox"/> Juvenile
Schrage, Aeiiso R	Mentioned	Male			<input type="checkbox"/> Will Testify
Eye Color	Hair Color	Race	Ethnicity	Height	Weight
		White	Non-Hispanic		
DL #	Other ID #	Other ID Type			

SEASONAL ADDRESS

Address	City	State	Zip
520 Demers Ave	East Grand Forks	MN	56721
Seasonal Phone #	Cell Phone #	Work Phone #	
2187731104			

PERMANENT ADDRESS

Address	City	State	Zip
Perm. Phone #	Parent Cell #	Work Phone #	

OTHER PERSON 2

Name	Type of Person	Sex	Date of Birth	Age	<input type="checkbox"/> Juvenile
Hajicek, Rodney (EGFPD)	Mentioned	Male			<input type="checkbox"/> Will Testify
Eye Color	Hair Color	Race	Ethnicity	Height	Weight
		White	Non-Hispanic		
DL #	Other ID #	Other ID Type			

SEASONAL ADDRESS

Address	City	State	Zip
520 Demers Ave	East Grand Forks	MN	56721
Seasonal Phone #	Cell Phone #	Work Phone #	
2187732294			

PERMANENT ADDRESS

Address	City	State	Zip
Perm. Phone #	Parent Cell #	Work Phone #	

OTHER PERSON 3

Name	Type of Person	Sex	Date of Birth	Age	<input type="checkbox"/> Juvenile
Holmseth, Timothy	Mentioned	Male	03/17/1968	45	<input type="checkbox"/> Will Testify
Eye Color	Hair Color	Race	Ethnicity	Height	Weight
		White	Non-Hispanic		
DL #	Other ID #	Other ID Type			

SEASONAL ADDRESS

Address	City	State	Zip
320 17th St NW Apt 17	East Grand Forks	MN	56721
Seasonal Phone #	Cell Phone #	Work Phone #	
5073810250			

PERMANENT ADDRESS

Address	City	State	Zip
Perm. Phone #	Parent Cell #	Work Phone #	

Notes

STATUS

Exceptional Clearance		Officer	Responsibility
Exceptional Clearance Date		Norland, Mike 5022	Responsible Officer
Case Status	Closed	Status Date	04/27/2013 1119
<input type="checkbox"/> Weapon Involved	<input type="checkbox"/> Force Involved	<input checked="" type="checkbox"/> Reviewed	
<input type="checkbox"/> Accident Involved	Accident		
Approved By - Patrol Supervisor	Tadman, Jim A	Date	05/02/2013 1402
Reviewed By - Records		Date	

Initial Officer Report**NARRATIVE # 1**

ORI	Case Number	Date	Officer		
MN0600000	13-000447	03/29/2013	Norland, Mike	5022	<input type="checkbox"/> Release to Public

On 3/29/2013 I was contacted by Lt. Rodney Hajicek with the East Grand Forks Police Department in reference to a hard drive that was dropped off at our office by Officer Aiesso Schrage with the Pine-To-Prairie Task Force on 12/15/2012. Officer Schrage also brought over two cell phones at that time. One of the cell phones is a trackphone and is unable to be ripped at this time by the XRY cell phone forensic equipment and software. The other phone is an LG - VX11000 cell phone. End of report.

Assisting Officer Report**NARRATIVE # 2**

ORI	Case Number	Date	Officer		
MN0600000	13-000447	04/27/2013	Norland, Mike	5022	<input type="checkbox"/> Release to Public

The hard drive that was given to me to look at was a Western Digital 500 GB hard drive with the S/N: WCAS87169279. On 4/3/2013 at approx. 0850 hrs. I hook up the above hard drive to a write blocker that was hooked up to my forensic computer through a usb cord. I looked through the computer and did not find anything that would show illegal activity on the computer. I then shut the computer off and unhooked the hard drive. I later returned the hard drive and cell phones to Officer Schrage. I was later asked to image the hard drive. I again received the hard drive on 4/22/2013. I was in the process of imaging another hard drive and did not get a chance to image this hard drive. On 4/26/2013 I was again contacted by Officer Schrage that there was a court order for all the property to be returned to the suspect in their case. The hard drive was returned to Officer Shrage. End of report. Closed.

EAST GRAND FORKS POLICE DEPARTMENT



Michael Hedlund
Chief of Police

520 Demers Avenue East Grand Forks, MN 56721
Phone (218) 773 - 1104 Fax (218) 773 - 1108

September 30, 2013

Mr. Timothy Holmseth
320 17th Street NW #17
East Grand Forks, MN 56721

Dear Mr. Holmseth:

I am writing you regarding multiple situations that you have brought to my attention.

In your letter dated August 15, 2013 you stated that you felt that Off. Aeisso Schrage fabricated a statement and that Sgt. Chris Olson signed off on said report, thus approving it. I have found no evidence of any intentional misinterpretation by any member of our staff in this incident. Police reports are written from the memory of the officer (sometimes supported by notes) and are typically not exact reproductions of statements that have been made. I find your complaint regarding this matter to be "Unfounded".

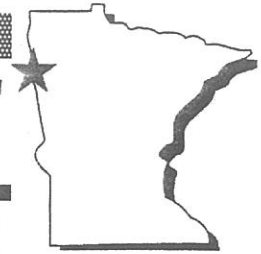
In your letter dated August 17, 2013 you stated that Sgt. Chris Olson was involved in misconduct regarding our agency's response to your Freedom of Information Act requests. As you and I have discussed in previous correspondence it did appear that there was confusion between yourself and our agency on one of your requests. As soon as I became aware of the issue you were provided the copies of the reports that you had requested. Again, I have found no evidence of any misconduct by any member of our staff in this incident and I find your complaint to be "Exonerated".

In your letter dated August 19, 2013 you refer to an incident handled by Officer Andy Boen in which you were reportedly struck by a vehicle driven by Rhonda Callahan. You were upset with the fact that Ms. Callahan was not arrested/cited in this incident. This situation has been brought to my attention by you previously and I am not going to reconsider my position that the officer acted properly.

In a separate letter dated August 19, 2013 you refer to a situation involving Michal Callahan and threats he made toward you. Our Department took your complaint, investigated that complaint and after consulting with the prosecuting attorneys determined that the Misdemeanor charge of Disorderly Conduct was appropriate based upon the totality of the circumstances. You do not need to agree with that decision but that was our decision and it is not going to be changed, nor could it be at this time. There is no evidence of any wrong doing by any member of the East Grand Forks Police Department in this situation. I find the results of your complaint to be "Exonerated".

EAST GRAND FORKS

POLICE DEPARTMENT



Michael Hedlund
Chief of Police

520 Demers Avenue East Grand Forks, MN 56721
Phone (218) 773 - 1104 Fax (218) 773 - 1108

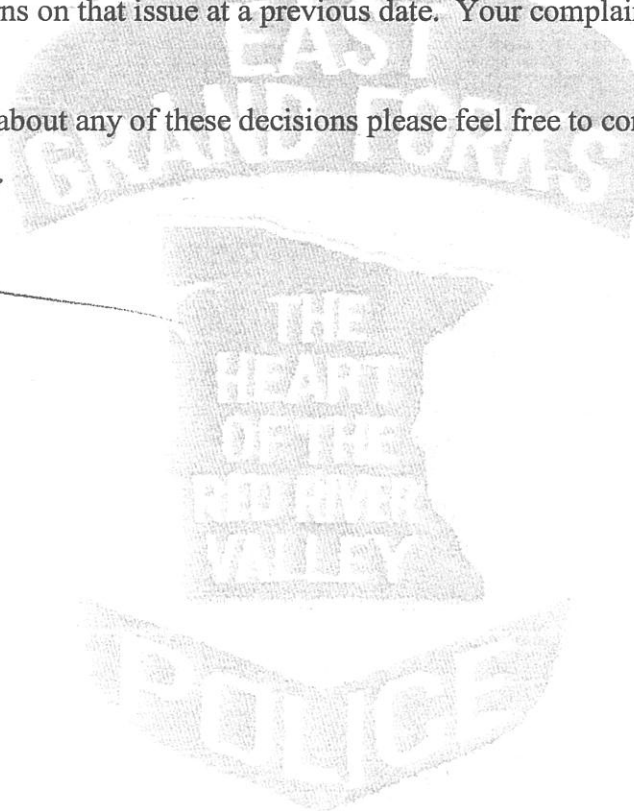
Lastly, in an e-mail dated September 30, 2013 you requested to receive a copy of information that you believe was taken off a computer hard drive that was seized from you by law enforcement in December 2012. I have spoken to the investigators involved in this situation and they assure me that no copy of any information was made by law enforcement in this situation. The officers used a program that allowed them to view the contents of your hard drive without any changes occurring during their investigation. Had they discovered any evidence of wrong doing they would then have been able to make a copy of that information. Since they did not find any information that was of evidentiary value they did not make a copy of any of the information on your hard drive. Your hard drive was subsequently returned to you and we have dealt with your concerns on that issue at a previous date. Your complaint in this instance is "Unfounded".

If you have questions about any of these decisions please feel free to contact me.

Sincerely,

Michael S. Hedlund
Chief of Police

cc: File



EAST GRAND FORKS
POLICE DEPARTMENT



Michael Hedlund
Chief of Police

520 Demers Avenue East Grand Forks, MN 56721
Phone (218) 773 - 1104 Fax (218) 773 - 1108

December 6, 2013

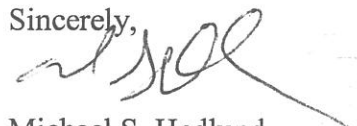
Timothy Holmseth
320 17th Street NW #17
East Grand Forks, MN 56721

Dear Mr. Holmseth:

Regarding your Request for Information filed on November 20, 2013, you have previously been provided copies of the police reports pertaining to that incident. In this situation neither our Department nor the Polk County Sheriff's Office completed a chain of custody form so unfortunately I do not have any additional documents to provide for you.

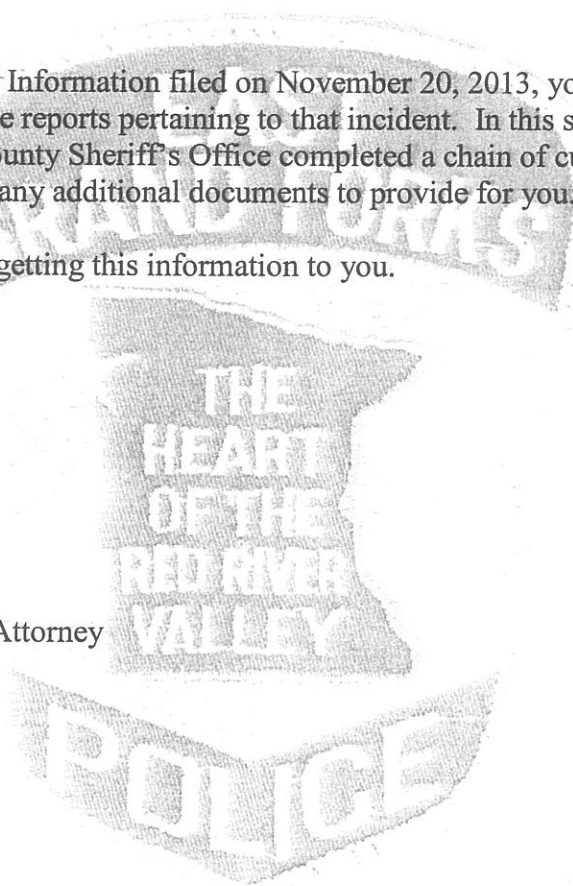
I apologize for the delay in getting this information to you.

Sincerely,



Michael S. Hedlund
Chief of Police

cc: Ron Galstad – City Attorney
File



You replied on 12/4/2013 9:48 AM

From: Katrina Genereux [mailto:Katrina.Genereux@co.polk.mn.us]
To: Timothy Charles Holmseth
Cc: barberdman
Subject: RE: Document Request
Attachments: 201312031603.pdf (1 MB)
Sent: Wed 12/4/2013 8:35 AM

Mr. Holmseth,

The records you requested are attached.

There are no documents, outside of the attached report, generated from Sgt. Norland's search of your hard drive or documenting a chain of evidence.

If you have any further questions related to your request, please feel free to contact our office.

*Katrina Genereux
Records Clerk
Polk County Sheriff's Office
218-281-0431*

From: Timothy Charles Holmseth [mailto:tholmseth@wiktel.com]
Sent: Wednesday, November 27, 2013 10:10 AM
To: Katrina Genereux
Cc: barberdman
Subject: RE: Document Request

Thank you for your prompt response.

Tim

From: Katrina Genereux [mailto:Katrina.Genereux@co.polk.mn.us]
Sent: Wednesday, November 27, 2013 9:50 AM
To: 'tholmseth@wiktel.com'
Subject: RE: Document Request

Sent: Mon 12/9/2013 3:00 PM

From: Oliveira, Jill (DPS) [jill.oliveira@state.mn.us]
To: 'Timothy Charles Holmseth'
Cc:
Subject: RE: Pine-to-Prairie Task Force
Attachments: image001.png (9 KB)

Hi Tim,

The BCA had no role in the investigation you describe and did not attach any tags to evidence in that case.

JILL OLIVEIRA | PUBLIC INFORMATION OFFICER, MIN DEPT. OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106
651-793-2726 (W) 651-503-5418 (C) | jill.oliveira@state.mn.us



From: Timothy Charles Holmseth [mailto:tholmseth@wiktel.com]
Sent: Monday, December 09, 2013 10:52 AM
To: Oliveira, Jill (DPS)
Subject: RE: Pine-to-Prairie Task Force

Well, essentially, I am just requesting any files or information I can obtain as set forth in my previous email.

I prefer email, so, if you could send it to me that way, it would be great.

Thanks a million.

From: Oliveira, Jill (DPS) [mailto:jill.oliveira@state.mn.us]
Sent: Monday, December 9, 2013 9:34 AM
To: 'Timothy Charles Holmseth'
Subject: RE: Pine-to-Prairie Task Force

Hi Tim, it wouldn't be a FOI request, but rather a request under the Minnesota Data Practices Act. You can send it to me by email if you like. We'll respond with any public information that is available not pertaining to your request

You replied on 12/13/2013 10:01 AM.

From: Evans, Andrew (DPS) [andrew.evans@state.mn.us]
To: Timothy Charles Holmseth
Cc:
Subject: RE: REQUEST FOR INVESTIGATION

Sent: Fri 12/13/2013 8:50 AM

From: Timothy Charles Holmseth [mailto:tholmseth@wiktel.com]
Sent: Thursday, December 12, 2013 2:54 PM
To: Evans, Andrew (DPS)
Subject: RE: REQUEST FOR INVESTIGATION

Drew,

Thank you for your prompt response.

You noted the BCA played no role in the case.

I have one question along those lines.

Did the East Grand Forks Police Department, Polk County Sheriff's Office, East Grand Forks City Attorney Ronald Galstad, or any member of the Pine-to-Prairie Drug Task Force, ever contact the BCA and ask you to conduct a forensic examination of my hard-drive?

Alternatively put...

Did the BCA ever advise any law enforcement official from the before-mentioned agencies, that it would not conduct a forensic examination on my hard-drive unless the agency acquired a more specific warrant?

Essentially ... was there any communication about me whatsoever?

I am just wondering if you were ever in communications with any law enforcement regarding this case or the Search Warrant they executed.

Thanks,
Tim

From: Evans, Andrew (DPS) [mailto:andrew.evans@state.mn.us]

RE: REQUEST FOR INVESTIGATION - Message (HTML)

FileEditViewInsertFormatToolsActionsHelp

ReplyReply to AllForward

You replied on 12/13/2013 10:01 AM.

Sent: Fri 12/13/2013 8:50 AM

From: Evans, Andrew (DPS) [andrew.evans@state.mn.us]

To: Timothy Charles Holmseth

Cc:

Subject: RE: REQUEST FOR INVESTIGATION

Mr. Holmseth –

We were not requested to conduct a forensic examination on your computer.

Sincerely,

Drew Evans | Assistant Superintendent
MN Bureau of Criminal Apprehension
1430 Maryland Ave. E
St. Paul, MN 55106
651-793-1108 | Andrew.Evans@state.mn.us
[Follow BCA](#)

From: Timothy Charles Holmseth [mailto:tholmseth@wiktel.com]
Sent: Thursday, December 12, 2013 2:54 PM
To: Evans, Andrew (DPS)
Subject: RE: REQUEST FOR INVESTIGATION

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Alternatively put...

From: Oliveira, Jil (DES) [jil.oliveira@state.mn.us]

To: "Timothy Charles Holmseth"

133

Subject: RE: Pine-to-Prairie Task Force

Attachments:  image001.png (9 kB)

Sent: Fri 12/6/2013 10:23 AM

Hi Tim, there are no BCA personnel serving on that task force.

JILL OLIVEIRA | PUBLIC INFORMATION OFFICER, MN DEPT. OF PUBLIC SAFETY

BUREAU OF CRIMINAL APPREHENSION

BCA
1430 MARYLAND AVENUE EAST, ST. PAUL, MN 55106

651-793-2726 (W) 651-503-5416 (C) | jill@live@state.mn.us

You



From: Timothy Charles Holmseth [mailto:tholmseth@wiktel.com]

Sent: Friday, December 06, 2013 8:48 AM

To: Oliveira, Jill (DPS)

Subject: Pine-to-Prairie Task Force

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Is the BCA associated with the Pine-to-Prairie Task Force in Northern Minnesota?

Thanks,

Tim

Timothy Charles Holmseth

320 17th Street N.W.

Unit # 17

East Grand Forks, MN 56721

218.773.1299



STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL APPREHENSION
1246 UNIVERSITY AVENUE, ST. PAUL, MINN. 55104

EVIDENCE

INVESTIGATOR

Case No. 13

Principal(s) _____

Location _____

Date of Seizure/Purchase _____

Agent(s) _____

Exhibit No./Lot _____

Search Warrant No. _____

ANALYST

Laboratory No. _____

Item No. _____

Date Received _____

Received By _____

PC 611001