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STATE OF MINNESOTA **DISTRICT COURT**

COUNTY OF RAMSEY **SECOND JUDICIAL DISTRICT**

Court File No.: 62-CR-26-846

State of Minnesota,

Plaintiff,

v. **DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS THE BIAS CHARGE**

EDWARD JACOB LANG,

Defendant.

TO: RAMSEY COUNTY COURT; RAMSEY COUNTY ATTORNEY

MOTION

Defendant, through counsel, respectfully moves the Court pursuant to Minn. R. Crim. P. 17.06, subd. 2(2)(d), and, to the extent applicable, Minn. R. Crim. P. 11.04, for dismissal of Count 2 of the Amended Complaint.

As alleged by the State, Defendant kicked an ice sculpture displaying the words "Prosecute ICE." The State further alleges that Defendant was heard on video stating, "This country was made for Americans, not Somalis." The State has characterized the conduct as a bias-motivated or "hate crime."

The Complaint, however, does not establish the required causal connection between the alleged property damage and the protected characteristic identified by the State. The alleged

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conduct, as described, is more directly connected to a dispute over immigration enforcement and the message displayed on the sculpture than to the race, ethnicity, or national origin of any person.

Minn. Stat. § 609.595 does not make opposition to immigration policy a crime, nor does it criminalize political expression. The bias provisions apply only when the property damage was committed, *in whole or substantial part*, because of an identified protected characteristic or because of an intent to intimidate or harm persons because of such a characteristic. Minn. Stat. § 609.595, subds. 1a(a)(3).

Dated: October 5, 2026

Respectfully submitted,

s/ Brian Karalus

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Brian P. Karalus
Attorney No. 0295073
401 N. 3rd St, #650
Minneapolis, MN 55401
651-223-6200
karaluslaw@gmail.com

MINNESOTA JUDICIAL BRANCH