

NO.

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IN THE  
SUPREME COURT OF THE UNITED STATES

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NENG POR YANG,

Petitioner,

Vs.

ANN MARIE HOLLAND,

Respondent,

---

PETITIONER'S PROOF OF UNABLE TO SERVE  
RESPONDENT DUE TO HER LACK OF VALID ADDRESS  
AND NO ATTORNEY ON RECORD SINCE THE TRIAL COURT  
PROCEEDINGS

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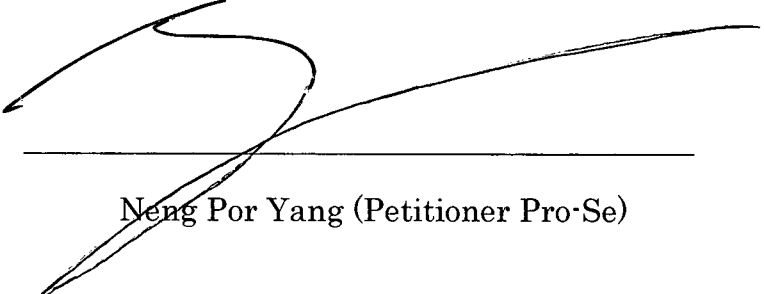
I, Neng Por Yang, do swear or declare that I cannot be able to serve the enclosed MOTIOIN FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI, to the Respondent in this case, because she have no valid address and no current attorney(s) on court records since December 2019 when the case was heard at the district courthouse. Moreover, my attorney had already spend numerous amount of time, money, legal services, and due diligence serving her according to the Minnesota Rules of Civil Procedures before the motion was heard at the district courthouse; in which includes, servicing the Respondent by publication and by speaking to her former attorney Mr. Corey J. Ayling.

I have hereby attached the following documents with proof of unable to serve the Respondent because she have no valid legal address and no attorney to represent her case since 2019. Here, these evidences were brought to the attention of the trial court judge, however, the trial court judge did not postpone my Motion to Vacate the

Harassment Restraining Order on February 5<sup>th</sup>, 2020, and instead proceeded with the motion hearing without providing my attorney with the time to reserve the Respondent and refile the Motion to Vacate at a later date. And because of these reasons, this case was heard without the Respondent. And as of today, I still cannot serve the Respondent with any legal documents because she have no valid legal address and no legal attorney on file to be serve with my motion to proceed *in forma pauperis* and petition for a writ of certiorari.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: November 8<sup>th</sup>, 2021



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Neng Por Yang (Petitioner Pro-Se)

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SCOTT

FIRST JUDICIAL DISTRICT

CIVIL DIVISION

Court File No. 70-CV-09-27229

Ann Marie Holland,

Petitioner,

**AFFIDAVIT OF  
JOSEPH KAMINSKY**

vs.

Neng Por Yang,

Respondent.

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STATE OF MINNESOTA    )  
                              )   ss.  
COUNTY OF HENNEPIN    )

Joseph Kaminsky, being first duly sworn, states and alleges:

I am the Attorney for the Respondent in the above-referenced matter.

I have prepared a Motion wherein Respondent is requesting that the harassment order issued against him in 2009 be vacated.

There is a harassment order so Respondent cannot attempt to have contact with Petitioner.

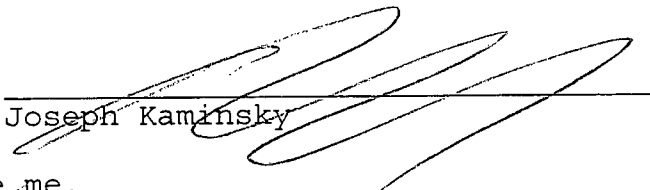
I have made a diligent inquiry to try and located Petitioner. Inquiry has been made of her previous attorney's, but those attorney's represented her about ten years ago and they no longer represent her.

I have conducted an address search and as has not been able to locate Petitioner. However, it is necessary to attempt to serve these papers in order for Respondent to vacate the harassment

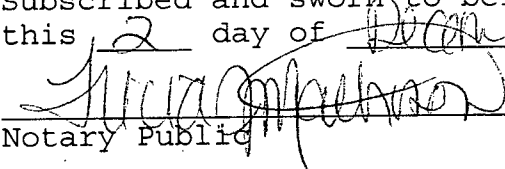
order. Accordingly, I am requesting that I be allowed to proceed with this motion by publication.

I am making this Affidavit for the purposes of securing an Order of the Court directing the service of this matter by publication.

Further affiant saith not.

  
\_\_\_\_\_  
Joseph Kaminsky

Subscribed and sworn to before me,  
this 2 day of December, 2019.

  
\_\_\_\_\_  
Notary Public

erved  
PM  
MN

70-CV-09-27229

70-CV-09-27229

STATE OF MINNESOTA  
COUNTY OF SCOTT

DISTRICT COURT  
FIRST JUDICIAL DISTRICT  
CIVIL DIVISION

Court File No. 70-CV-09-27229

Ann Marie Holland,

Petitioner,

vs.

Neng Por Yang,

Respondent.

Filed in District Court  
State of Minnesota

**ORDER FOR  
PUBLICATION**

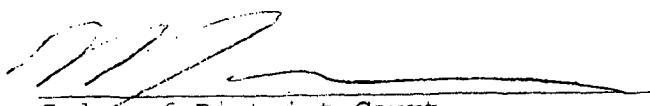
**DEC 03 2019**

On reading and filing the attached Affidavit for Publication of Joseph Kaminsky, the Attorney for Respondent in the above-captioned proceeding, and upon all of the files and records herein, from which it appears to the satisfaction of this Court that the above-entitled proceeding has been commenced and is now pending herein, that personal service cannot be made on Petitioner herein, now therefore:

IT IS HEREBY ORDERED that service of the Motion in the above-captioned matter be had by publication thereon in the Southwest News Media, a newspaper published by the City of Savage, County of Scott, State of Minnesota, publication of said Summons to be made once each week for a period of three successive weeks.

DATED:

12/3/19

  
Judge of District Court

*Honorable Mark Vandelist*



Joseph Kaminsky <jkaminsky46@gmail.com>

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## Legal Notice to publish in the Shakopee Valley News

1 message

Deb Gelhaye <dgelhaye@swpub.com>


Fri, Dec 6, 2019 at 2:03 PM

To: jkaminsky46@gmail.com

Hi Joseph & Tricia - please take a look at the proof and let me know if you should need any changes. I put together just the 1 document that I believe is what you are looking to publish. The 3 week cost as is would be \$212.52 and I would need to get prepayment.

Thank you,  
Deb Gelhaye/Fusion  
952-345-6885

RE 12/12/19

 5278dec28.rtf  
43K

STATE OF MINNESOTA  
COUNTY OF SCOTT

DISTRICT COURT  
FIRST JUDICIAL DISTRICT  
CIVIL DIVISION  
Court File No. 70-CV-09-27229  
NOTICE OF MOTION  
AND MOTION

Ann Marie Holland,  
Petitioner,

vs.

Neng Por Yang,  
Respondent.

TO: THE ABOVE-NAMED PETITIONER,  
ANN-MARIE HOLLAND

YOU WILL PLEASE TAKE NOTICE,  
that a hearing in the above named Court  
in the Scott County Justice Center, 200  
Fourth Avenue West, City of Shakopee,  
State of Minnesota, at the hearing room  
a Judge of District Court, on the 5<sup>th</sup> day  
of February 2020 at 9:00 a.m. or as soon  
thereafter as counsel may be heard,  
Respondent will herein move the Court  
for an order as follows:

1. To vacate the harassment  
order herein.
2. For such further legal and  
equitable relief as the Court  
may deem just.

All responsive pleadings shall be  
Served and mailed to or filed with the  
Court Administrator no later than five  
days prior to such hearings in ruling on  
the motion or matter in question.  
Dated: 11/29/19

Joseph Kaminsky  
Attorney for Respondent  
260 Brookdale Corporate Center  
6300 Shingle Creek Parkway  
Brooklyn Center, MN 55430-2183  
Phone: (612)332-8479  
Attorney License #53351

(Published in the Shakopee Valley News  
on Saturday, December 14, 21, and 28,  
2019; No. 5278)

Lowest classified rate paid by commercial users for comparable space.....	\$31.20 per column inch
Maximum rate allowed by law for the above matter.....	\$31.20 per column inch
Rate actually charged for the above matter.....	\$13.62 per column inch



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SCOTT

FIRST JUDICIAL DISTRICT

CIVIL DIVISION

Court File No. 70-CV-09-27229

Ann Marie Holland,

Petitioner,

NOTICE OF MOTION  
AND MOTION

vs.

Neng Por Yang,

Respondent.

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TO: THE ABOVE-NAMED PETITIONER, ANN MARIE HOLLAND

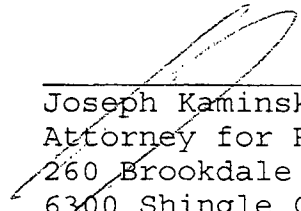
YOU WILL PLEASE TAKE NOTICE, that a hearing in the above named Court in the Scott County Justice Center, 200 Fourth Avenue West, City of Shakopee, State of Minnesota, at the hearing room a Judge of District Court, on the 5<sup>th</sup> day of February 2020 at 9:00 a.m. or as soon thereafter as counsel may be heard, Respondent will herein move the Court for an order as follows:

1. To vacate the harassment order herein.
2. For such further legal and equitable relief as the Court may deem just.

All responsive pleadings shall be served and mailed to or filed with the Court Administrator no later than five days prior to the scheduled hearing. The Court may, in its discretion, disregard any responsive pleadings served or filed with the Court Administrator less than five days prior to such hearings in ruling on the motion or matter in question.

DATED:

12 Feb 1999

  
\_\_\_\_\_  
Joseph Kaminsky  
Attorney for Respondent  
260 Brookdale Corporate Center  
6300 Shingle Creek Parkway  
Brooklyn Center, MN 55430-2183  
Phone: (612) 332-8479  
Attorney License #53351