

NO.

IN THE

SUPREME COURT OF THE UNITED STATES

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**

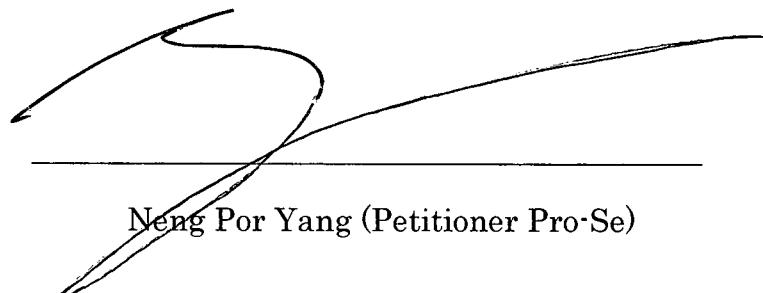
I, Neng Por Yang, do swear or declare that I cannot be able to serve the enclosed MOTIOIN FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI, to the Respondent in this case, because she have no valid address and no current attorney(s) on court records since December 2019 when 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 5th, 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 8th, 2021


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.

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 locate 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

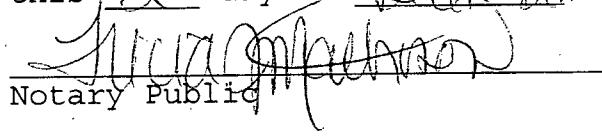
order. Accordingly, I am requesting that I be allowed to proceed with this motion by publication.

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

Served
3 PM
MN

70-CV-09-27229

70-CV-09-27229

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SCOTT

FIRST JUDICIAL DISTRICT

CIVIL DIVISION

Court File No. 70-CV-09-27229

Ann Marie Holland,

Petitioner,

vs.

Filed in District Court
State of Minnesota

ORDER FOR
PUBLICATION

Neng Por Yang,

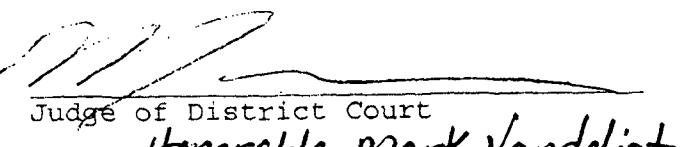
DEC 03 2019

Respondent.

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>

Legal Notice to publish in the Shakopee Valley News

1 message

Deb Gelhaye <dgelhaye@swpub.com>
To: jkaminsky46@gmail.com

Fri, Dec 6, 2019 at 2:03 PM

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

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 5th 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)

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 on a Judge of District Court, on the 5th 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

Dated: 11/15/2019
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)

Affidavit of Publication Southwest Newspapers

Laurie A. Hartmann, being duly sworn, on oath says that she is the publisher of the newspapers known as the Shakopee Valley News, Jordan Independent, Prior Lake American and Savage Pacer, and has full knowledge of the facts herein stated as follows:

(A) These newspapers have complied with the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed public notice that is attached to this Affidavit and identified as No. 5218 was published on the date or dates and in the newspaper stated in the attached Notice and said Notice is hereby incorporated as part of this Affidavit. Said notice was cut from the columns of the newspaper specified. Printed below is a copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the kind and size of type used in the composition and publication of the Notice:

abcdefghijklmnopqrstuvwxyz

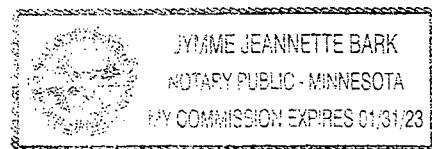
By:

Laurie A. Hartmann

Subscribed and sworn before me on

this 30th day of December, 2019

Notary Public



RATE INFORMATION

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.

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 5th 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: 10/28/09

~~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~~