### In The

# Supreme Court of the United States

GENE RECHTZIGEL,

Petitioner,

APR 2.9 2010

FILED

CITY OF APPLE VALLEY,

v.

OFFICE OF THE CLERK SUPREME COURT, U.S.

Respondent.

On Petition For A Writ Of Certiorari To The Minnesota Court Of Appeals

PETITION FOR A WRIT OF CERTIORARI

GENE RECHTZIGEL Pro Se 6533 160th Street West Apple Valley, MN 55124 (612-618-0780)





## **QUESTIONS PRESENTED**

- I. Did the Government deprive Petitioner of Liberty, without Due Process of Law?
- II. Did the Government deprive Petitioner of Property, without Due Process of Law?
- III. Did the Government deprive Petitioner of a Trial by Jury, without Due Process of Law?



# TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	. i
OPINIONS BELOW	. 1
JURISDICTION	. 2
CONSTITUTIONAL PROVISIONS INVOLVED $\dots$	. 3
STATEMENT OF THE CASE	5
REASONS FOR GRANTING THE PETITION	22
CONCLUSION	. 39
APPENDIX	
APPENDIX  Minnesota Supreme Court, Order, January 29,	
2019A	pp. 1
Minnesota Court of Appeals, Order Opinion, November 13, 2018A	pp. 2
Dakota County District Court, Findings of Fact, Order and Memorandum, October 3, 2017 Ap	p. 10
Dakota County District Court, Order and Memorandum, January 19, 2018Ap	р. 15
Petition for Review in the Minnesota Supreme Court, December 13, 2018Ar	р. 24



## TABLE OF AUTHORITIES

	Page
Cases	
Adam v. Hoover, Docket No. 114847, Michigan Court of Appeals, November 2, 1992	8
Amati v. Haraden, 280 Minn. 399, 159 N.W.2d 907 (1968)	7
C.E. Pope Equity Trust v. United States L Stradley, 818 F.2d 696 (1987)	25
City of Mankato v. Hilgers, 313 N.W.2d 610 (Minn. 1981)	38
City of Minneapolis v. Wilkin, 30 Minn. 140, 14 N.W. 581 (1883)	17
City of St. Paul v. Nickl, 42 Minn. 262, 44 N.W. 59 (1890)	17
Curtis v. St. Paul S & T F RR, 20 Minn. 28 (Gil. 19) (1873)	21
Greene v. McElroy, 360 U.S. 474, 79 S. Ct. 1400, 3 L. Ed. 2d 1377 (1959)	
In re Improvement of Third Street, St. Paul, 185 Minn. 170 (Minn. 1932)	18
Leiendecker v. Asian Women United of Minnesota, A16-0360 (May 24, 2017)	22
M.C.D.A. v. Golden Spike, Inc., 536 N.W.2d 30 (1995)	36, 37
Mary Elizabeth Jackson v. Samuel William Bownas, et al., No. E2004-01893-COA-R3-CV, Court of Appeals of Tennessee, at Knoxville, Filed June 21, 2005	



## TABLE OF AUTHORITIES - Continued

	Page
Minneapolis St. PR & D Elec. Traction Co. v. Goodspeed, 128 Minn. 66, 150 N.W. 222 (1914)	21
Mohrman & Kaardal, P.A., Plaintiff v. Gene Rechtzigel individually, Gene Rechtzigel as Personal Representative for Estate of Frank Rechtzigel and as Trustee of any Trust there- under, Gene Rechtzigel as Trustee for the Eve- lyn I. Rechtzigel Trust; Gene Rechtzigel as Trustee of the Frank H. Rechtzigel Charitable Trust Remainder Unitrust and Rex Rentals- F.R.R., Defendants	24
Mulkey v. Reitman, 64 Cal. 2d 529, 50 Cal. Rptr. 881, 413 P.2d 825 (1966), judgment aff'd, 387 U.S. 369, 87 S. Ct. 1627, 18 L. Ed. 2d 830 (1967)	26
State ex rel. Doerrler v. District Court, 44 N.W. 59, 42 Minn. 262 (1890)	
State v. Frisby, 260 Minn. 70, 108 N.W.2d 769 (1961)	38
State v. Jude, 258 Minn. 43, 102 N.W.2d 501 (1960)	31, 32
State v. McAndrews, 286 Minn. 115, 175 N.W.2d 492 (1970)	
State v. Pearson, 260 Minn. 477, 110 N.W.2d 206 (1961)	.21, 38

# DOCKET A L A R M

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

# **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

#### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

