

STATE OF MINNESOTA
COUNTY OF WINONA

DISTRICT COURT
THIRD JUDICIAL DISTRICT

In the Matter of the Civil Commitment of:

David Austin Russell,

Respondent.

ORDER

Court File No. 85-PR-24-46

The Court, being duly advised in the premises and upon all the files, records and proceedings held herein, now finds, by clear and convincing evidence, the following:

FINDINGS OF FACT

1. At a hearing on January 22, 2024, and in a written order issued January 23, 2024, Winona County District Court committed Respondent as a person who poses a risk of harm due to a mental illness to the custody of Prairie St. John's and the Commissioner of the Minnesota Department of Human Services for a period not to exceed six (6) months.
2. On July 15, 2024, Winona County filed a request to extend the civil commitment of Respondent.
3. The matter was initially scheduled for hearing on July 22, 2024, at 8:30 a.m. On July 16, 2024, counsel for Respondent filed a request to continue the hearing and to appoint a second examiner.
4. The Court granted the request to continue the hearing and appoint a second examiner. The hearing was reset to July 31, 2024. This date is outside the scheduled expiration of the commitment.
5. There is good cause to extend the commitment due to court and attorney availability as well as the request for a second examiner.

CONCLUSIONS OF LAW

1. Pursuant to Minn. Stat. § 253B.12 subd. 2a(a), a commitment may be extended until a review hearing is held for good cause shown.
 - a. There is good cause shown due to court and attorney availability as well as the request for a second examiner.

NOW, THEREFORE, IT IS ORDERED:

1. The previously issued civil commitment order dated January 23, 2024, is extended through the date of the review hearing set for July 31, 2024.
2. The review hearing is scheduled for July 31, 2024, at 9:00 a.m. before the Honorable Carmaine Sturino.

BY THE COURT:

07/22/2024 04:38:41 PM



Carmaine Sturino
Judge of District Court