

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

CASE TYPE: HARASSMENT

In the Matter of:

Court File No. 62-HR-CV-24-963

Madeline Sally Machla Lee,

Petitioner,

vs.

**PETITIONER'S RESPONSE TO
RESPONDENT'S MOTION TO
VACATE**

Kellye Strickland,

Respondent.

INTRODUCTION

Petitioner seeks an order denying Respondent's Motion to Vacate the active Harassment Restraining Order.

DOCUMENTS WHICH THIS RESPONSE RELIES UPON

Exhibit 1: Merrimack County Sheriff's Unserved Return Letter, dated 8/29/2024

Exhibit 2: Continuance Order issued in this matter, dated 9/5/2024

Exhibit 3: Cease and Desist Letter from Kellye Strickland to Petitioner

Exhibit 4: Maricopa County Sheriff's Unserved Return Letter, dated 10/2/2024

Exhibit 5: Continuance Order issued in this matter, dated 10/3/2024

Exhibit 6: Affidavit and Request for Publication (Harassment), filed 11/7/2024

Exhibit 7: Continuance Order issued in this matter, dated 11/8/2024

Exhibit 8: First Class Mail, Return to Sender, post-marked 11/12/2024

Exhibit 9: Order Granting Harassment Restraining Order After Hearing issued in this matter, dated 12/12/2024

Exhibit 10: Maricopa County Sheriff's Service Confirmation Letter, dated 3/19/2025

Exhibit 11: Respondent's First Motion to Vacate, filed 4/17/2025

Exhibit 12: Transcript of May 23, 2025 Hearing in this matter, dated 08/12/2025

Exhibit 13: Order Denying Motion issued in this matter, dated May 23, 2025

FACTUAL HISTORY

On July 31, 2024, Petitioner Madeline Lee filed a Petition for Ex Parte Harassment Restraining Order in Ramsey County District Court. The Petition was denied on August 9, 2024 and a hearing was scheduled for September 5, 2024. Petitioner attempted to serve Respondent Kellye Strickland at her last known address in New Hampshire. Service was not made because Respondent no longer lived at that address, as was confirmed by Deputy Kaitlyn N. Burt. (Ex. 1). The September 5 hearing was continued to October 3, 2024 because the Respondent had not been personally served. (Ex. 2).

On August 18, 2024 Petitioner received a Cease and Desist letter from Respondent, where Respondent noted her address as "1930 N Country Club Drive, Mesa, Arizona 85203." (Ex. 3). After receiving the Cease and Desist letter with an updated address for Respondent, Petitioner attempted service at that 1930 N Country Club Drive address. However, service was not effective because it was not Kellye Strickland's address. (Ex. 4). On October 3, 2024, the hearing was again continued because the Respondent had not been personally served and Petitioner needed time to file a request for alternative service pursuant to Minn. Stat. § 609.748, subd. 3(b). (Ex. 5).

On November 7, 2024, Petitioner filed an Affidavit and Request for Publication form. (Ex. 6). In the affidavit, Petitioner swore that "Personal Service was attempted by the sheriff and was not made because it is believed that the Respondent is avoiding service by hiding or other

means, AND a copy of the Petition and Order or Notice of Hearing was mailed to Respondent at Respondent's last known address or place of business.”

The third hearing was held on November 8, 2024 and was again continued to allow for service at Respondent's last known address by first class mail. (Ex. 7). The Ramsey County Domestic Abuse / Harassment Office attempted service by first class mail, requesting a forwarding address from Respondent's last known address, the address she provided to Petitioner three months prior in her Cease and Desist letter. This service attempt was returned to sender as undeliverable, with no way of providing a forwarding address. (Ex. 8). The inability to provide a forwarding address suggests that Respondent never lived at the address she provided to Petitioner in her August Cease and Desist letter.

On December 12, 2024, after three continuances and three attempts at service, Referee Elizabeth Clysdale issued a Harassment Restraining Order noting, “The Respondent failed to appear after service by U.S. Mail. This order is being issued by default.” (Ex. 9). That Order remains in effect.

On or about February 3, 2025 Petitioner learned Respondent's actual current address. Petitioner notified the Court of the updated address and Respondent was effectively served on February 27, 2025. (Ex. 10) On April 17, 2025 Respondent filed a Motion to Vacate and a Motion Hearing was immediately scheduled for May 23, 2025. (Ex. 11). At the May 23 hearing, Respondent admitted to knowingly providing a false address to Petitioner. (Ex. 12 at 13:10-13). Based upon that admission, Referee Jenese Larmouth denied Respondent's Motion finding that Respondent had been evading service and that Service by Publication or Alternative Means was appropriate. (Ex. 12 at 14:10-12), (Ex. 13). Respondent then filed a Second Motion to Vacate on July 11, 2024.

ARGUMENT

Respondent does not meet the burden of proof required to prevail in a Rule 60.02 motion for relief from a final judgment. The relief Respondent requests is barred by the common law principal of collateral estoppel.

I. Respondent's Rule 60.02 argument is barred by collateral estoppel.

Collateral estoppel precludes parties to an action from presenting evidence that would result in the relitigation of a previously litigated issue. *State v. Lemmer*, 736 N.W.2d 650, 658 (Minn. 2007). Collateral estoppel applies when:

- (1) The issue was identical to one in a prior adjudication; (2) there was a final judgment of the issue on the merits; (3) the estopped party was a party in the prior adjudication; (4) the estopped party was given a full and fair opportunity to be heard on the adjudicated issue. *Willems v. Commissioner of Pub. Safety*, 333 N.W.2d 619, 621 (Minn. 1983).

a. Issue in Litigation

In their most recent Motion to Vacate, Respondent stated “Under Minn. R. Civ. P. 60.02(d), a court must vacate any judgment or order that is void. A judgment is void where the issuing court lacked personal jurisdiction over the party against who the judgment was entered.” Respondent’s first Motion to Vacate centered on the issue of lack of service and personal jurisdiction as well. (Exs. 11, 12). At the prior motion hearing, Respondent stated “No jurisdiction was established over me because there was no service to me.” (Ex. 12, Tr. 6:6-7). She continued, “Due to the four documented failed services over the course of approximately 4 months, no jurisdiction was established.” (Ex. 12, Tr. 6:19-21). Respondent Strickland is attempting to move the court on the exact issue that was litigated on May 23, 2025. Factor one, identical issues in litigation, is met.

b. Final Judgment of the Issue on the Merits

At the May 23, 2025 hearing, the Honorable Jenese Larmouth delivered a final judgment on the issue of service and personal jurisdiction in this matter. Referee Larmouth stated, “I find that Ms. Strickland was properly served as authorized by the court issuing the order for service by alternate means.” (Ex. 12, Tr. 14:10-12). Referee Larmouth reasoned “(T)he affidavit of service that was filed on October 2nd of 2024 states that they went to the address that Ms. Strickland just confirmed that had told the respondent was her address, which is 1930 North Country Club Drive in Mesa, Arizona. And so when the sheriff’s deputy then files an affidavit stating that they attempted personal service at that address and weren’t able to do so, they did their due diligence. And the court also did their due diligence in organizing service at that address.” (Ex. 12, Tr. 14:21-25, 15:1-3). Referee Larmouth concluded saying, “In fact, it suggests to me, based on the fact that you deliberately provided a false address to Ms. Lee, that you intentionally evaded participating in this proceeding.” (Ex. 12, Tr. 15:20-23). It is clear that Referee Jenese Larmouth made a final judgment on the issue of personal service in this matter. The second collateral estoppel factor is met.

c. The estopped party was a party to the prior adjudication

Respondent was clearly a party to the prior adjudication, as can be seen in the caption of the transcript for the previous motion hearing where this issue was adjudicated. (Ex. 12). The third factor in establishing collateral estoppel is met.

d. Full and Fair Opportunity to be Heard

Respondent had a full and fair opportunity to be heard on the issue of service and personal jurisdiction at the May 23, 2025 hearing. Minnesota law does not even require that a hearing exist in order to fulfill this factor. *See In re Miller*, 153 B.R. 269, 274 (Bankr. D. Minn.

1993) (holding a full and fair opportunity to be heard was met when the party had an opportunity to litigate the issue and failed to do so). We satisfy this factor even more clearly than the case cited above. Respondent Strickland was present for, and presented argument in a motion hearing on this exact issue. Respondent had a full and fair opportunity to be heard. The fourth factor in establishing collateral estoppel is met.

CONCLUSION

Because all four collateral estoppel factors are met in regard to the personal jurisdiction and service issues that Respondent's motion relies upon, Petitioner respectfully requests the Court deny Respondent's Rule 60.02(d) motion.

BARNA, GUZY & STEFFEN

Dated: August 13, 2025

/s/ Kyle T. Manderfeld
Kyle T. Manderfeld #0505482
Attorneys for Petitioner
200 Coon Rapids Blvd. NW, Suite 400
Coon Rapids, MN 55433-5894
Email: kmanderfeld@bgs.com
Phn: (763) 780-8500

62-HR-CV-24963

NON EST RETURN

FILED IN DISTRICT COURT
STATE OF MINNESOTA

SEP 03 2024


MERRIMACK, SS

08/29/2024

I, DEPUTY KAITLYN N BURT, have made a diligent search and have not been able to locate the within named defendant KELLYE STRICKLAND within my precinct and have been unable to make any further service of this writ. ** Current Resident of 31 Pierce St., Concord, NH, advised Kellye does not live at this address. Deputy spoke w/ Kellye by phone, who stated she does not live in the state of NH. **

FEES

Service	\$ 0.00
Postage	0.00
Travel	0.00
<hr/> TOTAL	<hr/> \$0.00


DEPUTY KAITLYN N BURT
Merrimack County Sheriff's Office

Sep 5, 2024 2:02 PM

Filed in District Court
State of Minnesota

State of Minnesota

County
Ramsey

District Court

Judicial District:	Second
Court File Number:	62HRCV24963
Case Type:	Harassment

In the Matter of:

Madeline Sally Machla Lee

Petitioner(s)

Continuance Order

vs.

Kellye Strickland

Respondent(s)

The above-entitled matter came on for a hearing before the undersigned on September 5, 2024.

Appearances:

The Petitioner did appear.The Respondent did not appear.

Other appearances: _____

Based on the file, record, and statements of the parties, the Court FINDS:

1. A continuance is necessary because:
 - ☒ Respondent has not been personally served.
 - ☒ other: A continuance is necessary for an attempt at personal service to be made at the Respondent's updated address.

THEREFORE, IT IS ORDERED THAT:

1. Hearing
 - ☒ Remote Non-Evidentiary Hearing. This matter is continued to October 3, 2024, at 8:15 AM for a REMOTE HEARING before Referee Elizabeth Clysdale.

To join a remote hearing, see the REMOTE HEARING INSTRUCTIONS in the Notice of Hearing. If you have not received that notice or if you have any problems joining the hearing, contact the Ramsey County Domestic Abuse/Harassment Office immediately at 651-266-5130.
2. Prior Order
 - ☒ There is no order in effect.

3. **Service**

The Court Administrator shall serve a copy of this order to the attorneys by eService and upon self-represented parties by mail to the party's last known address unless personal service is required by Minn. Stat. § 518B.01.

Respondent's address is: 1930 N Country Club DR Mesa, AZ 85201-1778

The Maricopa County Sheriff's department and the Confidential Police Department shall help the Petitioner execute and/or serve this Order, without charge. Peace officers licensed by the State of Minnesota and correction officers, including, but not limited to, probation officers, court services officers, parole officers and employees of jails or correctional facilities may serve an Order for Protection or Harassment Restraining Order. If the application for relief is brought in a county in which the Respondent is not present, the sheriff shall forward the pleadings necessary for service upon the Respondent to the sheriff of the county in which the Respondent is present. This must be expedited to allow for timely service.

Domestic Abuse Orders for Protection: Under federal law, every Police Department and Sheriff's office in the United States, including Washington D.C. and tribal and territorial lands is responsible for enforcing this order. Enforcement of this order may include, but is not limited to, assisting in obtaining physical custody of child(ren), removing Respondent from the residence, and getting property back from the Respondent.

Order recommended by:

BY THE COURT:



Clysdale, Elizabeth
(Referee)
Sep 5, 2024 11:53 AM

Referee of District Court



Gilligan, Thomas (Judge)
Sep 5, 2024 2:02 PM

Judge of District Court

Addressed to Mz. Madeline Sally Lee
1358 South Birch Lake Boulevard
St. Paul, MN 551100

This letter is to inform you of my request that you immediately cease and desist in all defamatory actions and behaviors, including but not limited to falsehoods such as

1. That you have filed a lawsuit for harassment against Ms. Kellye Strickland
2. That you are being harassed by Ms. Kellye Strickland
3. That the police are in contact with Ms. Kellye Strickland at your request
4. That Ms. Kellye Strickland is in danger and needs to be contacted out of concern
5. That you have not asked anyone to assist in your campaign of harassment against Ms. Kellye Strickland

Your defamatory statements have caused Ms. Strickland to suffer extreme emotional distress, as well as loss of income. Being a former friend of Ms. Strickland, you are very well acquainted with the effects of your actions and the events that would ensue by intentionally triggering these behaviors.

It is my formal request that you immediately cease all libel and slander. If you do not respond to this letter by the date of August 30th, 2024 it will be presumed that you have no intention of complying, and suit will be filed.

Thank you in advance for your compliance.

Kellye Strickland
1930 N Country Club Drive
Mesa, AZ 85203

cc: Mr. Fidel Sebastian
cc: Attorney Jeremy Huss

^

10/02/2024 12:53 6023790064

MCSO CIVIL

PAGE 02/02

Filed in District Court
State of Minnesota
10/02/2024**MARICOPA COUNTY SHERIFF'S OFFICE**Civil Process Section
111 South 3rd Avenue, 2nd Floor
Phoenix, Arizona 85003-2292

Date: 10/2/2024

Regarding:

To: Ramsey County - Domestic Abuse/Harassment
Office
Ste 122
25 W Seventh Street
Juvenile & Family Justice Center
St. Paul, MN 55102Madeline Sally Machla Lee
vs.
Kellye StricklandReference:
62-HR-CV-24-963
24009974

This paper is being returned unserved due to:

Date: 9/28/2024 @ 10:14 AM - 1930 N Country Club Drive Mesa, AZ 85201
Attempted By: K. Carr
Service Type: Personal
Notes: Resident has lived there for about one year and does not know defendant.

Returning unserved on Kellye Strickland.

FEES:

Deposit \$ 0.00

Total \$0.00

RUSS SKINNER
Maricopa County Sheriff
By _____
Deputy K. Carr #S1768

Oct 3, 2024 1:00 PM

Filed in District Court
State of Minnesota

State of Minnesota

County
Ramsey

District Court

Judicial District:	Second
Court File Number:	62HRCV24963
Case Type:	Harassment

In the Matter of:

Madeline Sally Machla Lee

Petitioner(s)

Continuance Order

vs.

Kellye Strickland

Respondent(s)

The above-entitled matter came on for a hearing before the undersigned on October 3, 2024.

Appearances:

The Petitioner did appear.The Respondent did not appear.

Other appearances: _____

Based on the file, record, and statements of the parties, the Court FINDS:

1. A continuance is necessary because:
 - ☒ Respondent has not been personally served.
 - ☒ Petitioner needs to file a request for alternate service or publication.

THEREFORE, IT IS ORDERED THAT:

1. Hearing
 - ☒ Remote Non-Evidentiary Hearing. This matter is continued to November 8, 2024, at 9:15 AM for a REMOTE HEARING before Referee Jenese V. Larmouth.

To join a remote hearing, see the REMOTE HEARING INSTRUCTIONS in the Notice of Hearing. If you have not received that notice or if you have any problems joining the hearing, contact the Ramsey County Domestic Abuse/Harassment Office immediately at 651-266-5130.
2. Prior Order
 - ☒ There is no order in effect.

3. **Alternate Service or Publication**

- ☒ Petitioner shall file an Affidavit for Alternate Service or Publication. If the Respondent is not personally served or if the Affidavit for Alternate Service or Publication is not filed before the next hearing date, this case may be dismissed at the hearing.

4. **Service**

The Court Administrator shall serve a copy of this order to the attorneys by eService and upon self-represented parties by mail to the party's last known address unless personal service is required by Minn. Stat. § 518B.01.

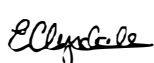
Respondent's address is: Unknown.

The Ramsey County Sheriff's department and the Confidential Police Department shall help the Petitioner execute and/or serve this Order, without charge. Peace officers licensed by the State of Minnesota and correction officers, including, but not limited to, probation officers, court services officers, parole officers and employees of jails or correctional facilities may serve an Order for Protection or Harassment Restraining Order. If the application for relief is brought in a county in which the Respondent is not present, the sheriff shall forward the pleadings necessary for service upon the Respondent to the sheriff of the county in which the Respondent is present. This must be expedited to allow for timely service.

Domestic Abuse Orders for Protection: Under federal law, every Police Department and Sheriff's office in the United States, including Washington D.C. and tribal and territorial lands is responsible for enforcing this order. Enforcement of this order may include, but is not limited to, assisting in obtaining physical custody of child(ren), removing Respondent from the residence, and getting property back from the Respondent.

Order recommended by:

BY THE COURT:


Clysdale, Elizabeth
(Referee)
Oct 3, 2024 11:30 AM

Referee of District Court


Gilligan, Thomas (Judge)
Oct 3, 2024 12:59 PM

Judge of District Court

FILED IN DISTRICT COURT
STATE OF MINNESOTA

NOV 37 2024

State of Minnesota

County

Ramsey

District Court

Judicial District:

Second

Court File Number:

62 HRCV 24 963

Case Type:

Harassment

Madeline Sally Machla Lee
Petitioner

vs

Kellye Strickland
Respondent**Affidavit and Request
for Publication (Harassment)**

[Minn. Stat. § 609.748, subd. 3(b)]

Affidavit and Request

I am the Petitioner in this matter. I understand that I must tell the truth. I request that the court allow publication of the court's Order dated October 3 2024 because:

- ☒ Personal Service was attempted by the sheriff and was not made because it is believed that the Respondent is avoiding service by hiding or other means, AND a copy of the Petition and Order or Notice of Hearing was mailed to Respondent at Respondent's last known address or place of business.

OR

- ☐ Personal Service was attempted by the sheriff and was not made because it is believed that the Respondent is avoiding service by hiding or other means, AND the present address and residence of the Respondent is unknown, but I have reason to believe it was

I declare under penalty of perjury that everything I have stated in this document is true and correct.
Minn. Stat. § 358.116.

10/28/2024

Dated


Signature

Name:

Madeline Sally Machla Lee

(If you have asked to keep your address and/or phone number confidential, do not include it here)

Address:

City/State/Zip:

Telephone:

Email:

Ramsey Minnesota
County and state where signed

Nov 8, 2024 4:30 PM

Filed in District Court
State of Minnesota

State of Minnesota

County
Ramsey

District Court

Judicial District:	Second
Court File Number:	62HRCV24963
Case Type:	Harassment

In the Matter of:

Madeline Sally Machla Lee
Petitioner(s)

Continuance Order

vs.

Kellye Strickland
Respondent(s)The above-entitled matter came on for a hearing before the undersigned on November 8, 2024.

Appearances:

The Petitioner did appear.The Respondent did not appear.

Other appearances: _____

Based on the file, record, and statements of the parties, the Court FINDS:

1. A continuance is necessary because:

- ☒ Respondent has not been personally served.
- ☒ This matter is being continued to allow enough time for Respondent to be served by first class mail at their last known addresses.

THEREFORE, IT IS ORDERED THAT:

1. Hearing

- ☒ Remote Non-Evidentiary Hearing. This matter is continued to December 12, 2024, at 10:15 AM for a REMOTE HEARING before Referee Elizabeth Clysdale.

To join a remote hearing, see the REMOTE HEARING INSTRUCTIONS in the Notice of Hearing. If you have not received that notice or if you have any problems joining the hearing, contact the Ramsey County Domestic Abuse/Harassment Office immediately at 651-266-5130.

2. Prior Order

- ☒ There is no order in effect.

3. **It is further ordered as follows:** Petitioner's Affidavit and Order for Service by Alternate Means was granted on November 7th, 2024. Service of this Order, along with all other unserved documents, shall be by first class mail, forwarding address requested, to the following addresses: 31 Pierce St Concord, NH 00301 and 1930 North County Club Drive Mesa, AZ 85201.

4. **Service**

The Court Administrator shall serve a copy of this order to the attorneys by eService and upon self-represented parties by mail to the party's last known address unless personal service is required by Minn. Stat. § 518B.01.

Respondent's address is: 31 Pierce St Concord, NH 00301 and 1930 North County Club Drive Mesa, AZ 85201

The Ramsey County Sheriff's department and the Confidential Police Department shall help the Petitioner execute and/or serve this Order, without charge. Peace officers licensed by the State of Minnesota and correction officers, including, but not limited to, probation officers, court services officers, parole officers and employees of jails or correctional facilities may serve an Order for Protection or Harassment Restraining Order. If the application for relief is brought in a county in which the Respondent is not present, the sheriff shall forward the pleadings necessary for service upon the Respondent to the sheriff of the county in which the Respondent is present. This must be expedited to allow for timely service.

Domestic Abuse Orders for Protection: Under federal law, every Police Department and Sheriff's office in the United States, including Washington D.C. and tribal and territorial lands is responsible for enforcing this order. Enforcement of this order may include, but is not limited to, assisting in obtaining physical custody of child(ren), removing Respondent from the residence, and getting property back from the Respondent.

Order recommended by:

BY THE COURT:



Larmouth, Jenese
(Referee)
Nov 8, 2024 11:21 AM

Referee of District Court



Gilligan, Thomas (Judge)
Nov 8, 2024 4:29 PM

Judge of District Court

**RAMSEY COUNTY DOMESTIC ABUSE/
HARASSMENT OFFICE**

Juvenile and Family Justice Center
25 West 7th St. #122
St. Paul, Minnesota 55102

SAINT PAUL MN 550
12 NOV 2024 PM 6 L

FIRST-CLASS



US POSTAGE



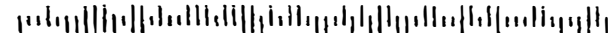
ZIP 55102 \$ 000.97⁰
02 7W
0008035510 NOV 08 2024

FORWARDING ADDRESS REQUESTED
KELLYE STRICKLAND
1930 N COUNTRY CLUB DR
MESA AZ 85201-1778

NIXIE 850 CE 1 0211/21/24

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 55102117399 *1360-12170-12-42



551021177
85201-177

**RAMSEY COUNTY DOMESTIC ABUSE/
HARASSMENT OFFICE**

Juvenile and Family Justice Center
25 West 7th St. #122
St. Paul, Minnesota 55102

GND ADV



US POSTAGE
ZIP 55102 \$ 009.20⁰
02 TW
0008035510 NOV 07 2024

REQUESTED
KELLYE STRICKLAND
1930 N COUNTRY CLUB DR
MESA AZ 85201-1778

FILED IN DISTRICT COURT
STATE OF MINNESOTA

DEC 09 2024

Madeline Sally Machla Lee vs Kellye Strickland

-R-T-S-

852015220-1N

12/03/24

RETURN TO SENDER
UNABLE TO FORWARD
RETURN TO SENDER



Dec 12, 2024 4:33 PM

Filed in District Court
State of MinnesotaSTATE OF MINNESOTA
Ramsey CountyDISTRICT COURT
Second Judicial District
Case Type: Harassment
Court File Number: 62-HR-CV-24-963

Madeline Sally Machla Lee Vs Kellye Strickland

Order Granting Harassment Restraining Order
After Hearing
(Minn. Stat. §609.748)

This matter was heard by Clysdale, Elizabeth, Judge/Referee of District Court, on December 12, 2024.

Appearances:

Kellye Strickland, Respondent, not present

Pro Se

Madeline Lee, Petitioner, present

Pro Se

Also appearing was:

Based upon the evidence and all the files, records and proceedings in this matter, the court finds:

1. ☐ The Respondent denies the allegations of the Petition but has no objection to the issuance of a Restraining Order. The court makes no findings of harassment.
2. ☒ There are reasonable grounds to believe that Respondent has engaged in harassment which has or is intended to have a substantial adverse effect on safety, security, or privacy of Petitioner or the minor children or ward(s) of Petitioner by committing the following acts:
 - ☐ Physically or sexually assaulted the Petitioner as follows: _____
 - ☐ Followed, monitored, or pursued the Petitioner as follows: _____
 - ☐ Made uninvited visits to the Petitioner as follows: _____
 - ☐ Made harassing phone calls or sent harassing text messages to the Petitioner as follows: _____
 - ☐ Made threats to the Petitioner as follows: _____
 - ☐ Frightened Petitioner with threatening behavior as follows: _____
 - ☐ Called the Petitioner abusive names as follows: _____
 - ☐ Damaged Petitioner's property as follows: _____
 - ☐ Broke into and entered Petitioner's residence as follows: _____
 - ☐ Stole property from Petitioner as follows: _____
 - ☐ Took pictures of the Petitioner without permission of the Petitioner as follows: _____
 - ☐ Disseminated private sexual images of the Petitioner without permission of the Petitioner as follows: _____
 - ☐ Used personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the Petitioner as followings: _____
 - ☐ Did acts repeatedly that meet the legal definition of "targeted residential picketing" as follows: _____

- ☐ Attended public events after being notified that Respondent's presence at the events is harassing to Petitioner as follows: _____
- ☐ Used social media to harass Petitioner as following: _____
- ☒ Other: The Respondent failed to appear after service by U.S. Mail. This Order is being issued by default. The contents of the Petition are incorporated herein as findings of fact. The Petitioner's testimony was credible.
3. ☒ The harassment has or is intended to have a substantial adverse effect on the Petitioner's safety, security or privacy.
4. ☐ The relief granted by this order may be for a period of up to 50 years based on the finding that:
- ☐ The petitioner has had two or more previous restraining order in effect against the same respondent; or
- ☐ The respondent has violated a prior or existing restraining order on two or more occasions.

IT IS ORDERED:

1. ☒ Respondent shall not harass ☒ Petitioner ☐ Petitioner's minor childred or ward(s)
List minor children or ward(s) included in the Petition: _____
- a. ☒ Respondent shall have no direct or indirect contact with ☒ Petitioner ☐ Petitioner's minor children or ward(s), including any visits to or phone calls to the protected person(s), contact via electronic means such as email or social networking sites, threats or assaultive behavior to the protected person(s), damaging or stealing property belonging to the protected person(s), breaking into and entering the protected person(s) residence, and/or taking pictures of a protected person without permission of the Petitioner.
- b. ☐ The relief granted does not extend to the Petitioner's minor children or ward(s). The relief requested for the Petitioner's minor children or ward(s) is denied because the harassment is not directed against the Petitioner's minor children or ward(s).
- c. ☐ Respondent is prohibited from being within _____ of Petitioner's home at _____.
Except as follows: _____
- d. ☒ Petitioner's address is confidential. If Respondent knows or learns of Petitioner's address, Respondent is prohibited from being at Petitioner's home.
- e. ☐ Respondent is prohibited from being within _____ of Petitioner's job site at _____.
Except as follows: _____
- f. ☐ Other: _____
2. ☒ Any requested relief that is not specifically listed above is denied.

3. This Order shall remain in effect until DECEMBER 12, 2026, unless changed by a later court order.
(Date not to exceed two years unless findings made to support longer order.)
4. The Court Administrator shall send a copy of this Order to the following law enforcement agency(s):
Ramsey County Sheriff's Department and Confidential Police Department. **Every police department and sheriff's office in the United States, including those affiliated with tribal and territorial lands, is responsible for enforcing this Order under 18 U.S.C. § 2265 Full Faith and Credit of Protective Orders.**
5. If Respondent is an organization, this order ☐ shall / ☐ shall not apply to all members of the organization.
6. Other: _____
7. The sheriff of any county in Minnesota, or a peace officer, shall perform the duties relating to serving this Order without charge to Petitioner.
8. Respondent is restrained from harassing, stalking, or threatening the protected person(s), or engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to that person; and is prohibited from the use; attempted use, or threatened use of physical force against the protected person(s) that would reasonably be expected to cause bodily injury. 18 U.S.C. § 922(g)(8)(B) and (C).

NOTICE


Any conduct by the Respondent in violation of the specific provisions provided in the "It Is Ordered" section above constitutes a violation of this Harassment Restraining Order. A police officer shall arrest the Respondent without warrant and take the Respondent to jail if the police officer believes the Respondent has violated this Order, and shall hold the Respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the Respondent is released by a judge or judicial officer.

Violation of this Harassment Restraining Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a fine of \$1000.00. Some repeat violations are gross misdemeanors that may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies that may result in a sentence of imprisonment for up to five years and/or a fine of \$10,000.00.

Federal law may prohibit shipping, transporting, possessing or receiving firearms or ammunition while this order is in effect. 18 U.S.C. § 922(g)(8).

If the court grants this Harassment Restraining Order for a period of up to 50 years under Minn. Stat. §609.748 subd. 5, the Respondent must wait 5 years to seek modification of the Harassment Restraining Order.

Dated: _____


Clysdale, Elizabeth
(Referee)
Dec 12, 2024 12:42 PM

Referee of District Court

Dated: _____


Gilligan, Thomas (Judge)
Dec 12, 2024 4:33 PM

Judge of District Court

03/19/2025 08:28

6023790064

MCSO CIVIL

PAGE 02/04

Filed in District Court
State of Minnesota
03/19/2025**MARICOPA COUNTY SHERIFF'S OFFICE**Civil Process Section
111 South 3rd Avenue, 2nd Floor
Phoenix, Arizona 85003-2292Madeline Sally Machla Lee
vs.
Kellye Strickland

STATE OF ARIZONA)	62-HR-CV-24-963
) ss.	
County of Maricopa)	24009974

David Sheets # S0827 being first duly sworn on oath deposes and says that (s)he is a citizen of the United States over the age of 21 years; that (s)he has no interest whatsoever in the within entitled matter, that (s)he is a regularly appointed Deputy Sheriff of Maricopa County, Arizona, and as such has the power to serve civil processes within said county; that (s)he served the within documents on the 27th day of **February, 2025**, on the within named defendant **Kellye Strickland**, in person, at **6445 South Maple Avenue Apt #2006 Tempe, AZ 85283** at **2:10 PM**, in the County of Maricopa, a copy of said **Order Granting Harassment Restraining Order After Hearing (Minn. Stat. §609.748), Notice Of Filing Of Order.**

Service \$16.00
Notary \$8.00
Mileage \$28.80

Total \$52.80

JERRY SHERIDAN
Maricopa County SheriffBy *David Sheets*
Deputy David Sheets #S0827Subscribed and sworn to before me this 19 Day of March 2025*Jo Ann R. Leyva*
Notary Public in and for the County of Maricopa - State of Arizona

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

Second Judicial District

Kellye Strickland,

Respondent,

v.

Madeline Machla Sally Lee,

Petitioner.

Case No.: 62-HR-CV-24-963

MOTION TO VACATE HARASSMENT RESTRAINING ORDER DUE TO LACK OF NOTICE, DUE
PROCESS, AND LACK OF MERIT

COMES NOW the Respondent, Kellye Strickland, and respectfully moves this Court pursuant to Minn. R. Civ. P. 60.02 and Minn. Stat. §609.748 to vacate the Harassment Restraining Order (HRO) granted to Madeline Machla Sally Lee on December 12, 2024, on the basis that Respondent was not properly served, did not receive notice of the hearing, and was denied the opportunity to appear and be heard in violation of her constitutional right to due process. Further, the claims made by the Petitioner lacked merit and, if challenged at the time, would not have satisfied the standard for harassment under Minn. Stat. §609.748, subd. 1.

FACTUAL BACKGROUND

1. On December 12, 2024, a Harassment Restraining Order was granted to Petitioner by default, as Respondent was not present at the hearing.

2. Respondent was not aware of the petition or hearing until she was served in Tempe, Arizona by a deputy of the Maricopa County Sheriff's Office on or about February 26, 2025.

3. This was more than two months after the hearing had taken place.

4. The Maricopa County deputy appeared confused by the service and could not provide context for the document.

5. Prior to service, Respondent had received no mailed notice, phone call, or electronic communication from Ramsey County Courts.

6. Respondent only became discoverable after confirming her address with Ramsey County Sheriff during a phone call on February 4, 2025.

7. On information and belief, Petitioner provided a list of outdated or incorrect addresses, including at least one in New Hampshire, and possibly Minneapolis, where Respondent has never resided.

8. Respondent's legal name is Kellye Ann Strickland, but the name "Kellye Anne Strickland" has appeared in people search databases following the issuance of the HRO.

9. These databases also associate Respondent with a Minneapolis address, despite her long-term residence in Tempe, Arizona.

10. These discrepancies support the conclusion that the hearing notice was sent to incorrect addresses under a misidentified name.

11. The failure to serve Respondent at her actual address prior to the hearing constitutes improper service under Minn. R. Civ. P. 4.03 and Minn. Stat. §609.748, subd. 3.

12. The resulting order was entered without Respondent receiving notice or an opportunity to appear, violating her constitutional right to due process.

13. Furthermore, had the Respondent been present, she would have been able to refute the Petitioner's claims as lacking in merit. The claims made do not meet the statutory definition of harassment under Minn. Stat. §609.748, subd. 1, and no credible evidence of harassment was presented to the Court.

RELIEF REQUESTED

Respondent respectfully requests that the Court:

1. Vacate the Harassment Restraining Order issued on December 12, 2024, in Case #62-HR-CV-24-963;
2. Grant Respondent the opportunity to be heard at a properly noticed hearing;
3. Review the service documentation and address list provided by Petitioner;
4. Take judicial notice of the lack of timely and proper service in this case;
5. Consider the lack of merit in the original claims presented;

6. Any other relief the Court deems just and equitable.

Respectfully submitted,

Kellye Strickland

6445 S Maple Ave, Apt 2006

Tempe, AZ 85283

(603) 892-8666

April 18 2025

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Madeline Sally Machia Lee,

Petitioner,

Court File No. 62-HR-CV-24-963

vs.

HRO Motion Hearing

Kellye Strickland,

Respondent.

Transcript of Proceedings

The above-entitled matter came before the Honorable Jenese Larmouth, Referee of Ramsey County District Court, via Zoom, an online platform, on the 23rd day of May 2025.

APPEARANCES

KYLE MANDERFELD, ESQ., appeared via Zoom on behalf of the petitioner, who was also present via Zoom.

KELLYE STRICKLAND, SELF-REPRESENTED RESPONDENT, was present via Zoom.

Court Reporter: Alicia Lopez

1 (WHEREUPON, the following proceedings were duly had, commencing
2 at 8:38 a.m.)

3 THE COURT: This is line 4 on the court calendar,
4 it's court file 62-HR-CV-24-963, in the matter of Madeline Sally
5 Machla Lee versus Kellye Strickland. I'm going to ask everyone
6 that's in court this morning to please say your names for the
7 record. We'll start with Petitioner's attorney.

8 MR. MANDERFELD: Morning, Your Honor. My name is
9 Kyle Manderfeld, on behalf of Petitioner Madeline Lee, who is
10 present and in Zoom court.

11 THE COURT: Ms. Lee, please say your name.

12 THE PETITIONER: Good morning, Your Honor. My
13 name is Madeline Lee.

14 THE COURT: Ms. Strickland.

15 THE RESPONDENT: I'm Kelly Strickland.

16 THE COURT: Thank you. We're in court this
17 morning for a motion hearing on a motion filed by Ms. Strickland
18 to vacate a harassment restraining order that was issued against
19 her by default on December 12th of 2024. Because of the numerous
20 filings that have been filed in this matter, I want to make sure
21 the parties and I are on the same page as to what the court's
22 focus is this morning.

23 There are other motions that have been filed, however,
24 before the court would get to any of those motions, the first
25 concern is whether the court is going to reopen the court file,

1 vacate the harassment restraining order, and set this matter for
2 an evidentiary hearing. Because I presume if I grant the request
3 to reopen, Ms. Strickland, you would enter a denial and ask for
4 an evidentiary hearing. I am not addressing any of the other
5 motions that have been filed because the court's focus is on
6 whether to reopen the court file.

7 The other parameter for me to set is that this is not an
8 evidentiary hearing. It is a motion hearing only. That means
9 that if you uploaded exhibits into the court's digital exhibit
10 system MNDES, M-N-D-E-S, I did not review or consider those
11 exhibits in preparation for this motion hearing because your
12 exhibits would need to have been attached to whatever motion or
13 affidavit you filed in support of your motion to vacate the
14 harassment restraining order.

15 The third parameter that we're functioning in today is Rule
16 60.02 of the Minnesota Rules of Civil Procedure, which governs
17 motions to vacate and the court relieving a party from a
18 judgment that has been entered against them.

19 Does anyone have any questions about those procedural
20 parameters before we begin with the motion hearing? Let's start
21 with Ms. Strickland since she's the moving party.

22 THE RESPONDENT: I have very few arguments except
23 that there were four documented services of failure --

24 THE COURT: Wait. Hold -- no, wait. Hold on, Ms.
25 Strickland. I'm not hearing arguments on the motions yet. I'm

1 just asking if you have any questions about the parameters --

2 THE RESPONDENT: No. I apologize.

3 THE COURT: -- that I have set for the motion
4 hearing.

5 THE RESPONDENT: No.

6 THE COURT: Mr. Manderfeld, any questions about
7 the parameters that I've set?

8 MR. MANDERFELD: No, Your Honor.

9 THE COURT: All right. When I look in the court
10 file, I see that on April 17th, Ms. Strickland filed a motion to
11 vacate the harassment restraining order.

12 Rule 60.02 of the Rules of Civil Procedure, part A,
13 provides that a party may be relieved "from final judgment,
14 order, or proceeding" for, among other reasons, "excusable
15 neglect." The appellate court in Charson versus Temple Israel
16 419 N.W.2d 488 issued in 1988 states that, we have long stated
17 that relief should be granted when the moving party
18 affirmatively satisfies four requirements: one "a reasonable
19 defense on the merits" or as would be relevant to this
20 proceeding a debatably meritorious claim, two "a reasonable
21 excuse for his" or her "failure or neglect to" act, three that
22 he or she "acted with due diligence after" learning of the error
23 or omission, and four "that no substantial prejudice will result
24 to the other party."

25 The appellate courts have said that the Court should be

1 generous in considering motions to vacate, as there is a long-
2 standing principle that orders and judgments should be entered
3 on the merits of a claim and not simply by default. But the
4 courts have also said that the right to be relieved of a default
5 judgment is not an absolute right.

6 With that in mind, let me first ask. Mr. Manderfeld, does
7 your client agree or disagree with the motion to vacate the
8 harassment restraining order and set the matter for an
9 evidentiary hearing?

10 MR. MANDERFELD: Your Honor, we disagree.

11 THE COURT: Okay. Then I'm going to turn to Ms.
12 Strickland for her argument.

13 I have read your affidavits, ma'am, and so perhaps if you
14 could synthesize the things that are in your affidavit and
15 tailor your argument to the parameters that I just set.

16 THE RESPONDENT: Ma'am, I appreciate the
17 parameters that you set. It's very important to make the rules
18 known to all parties. I'm aware of the rules, that this is a
19 procedural matter in a specific incident.

20 The reason I petitioned the court for this hearing was not
21 to respond to evidence at all. This was an entirely procedural
22 error on the part of Ramsey County. There were four failed
23 services, documented failed services on August 29th, October
24 2nd, November 12th, and December 9th. There was four documented
25 failed services, two deputy statements, affidavits that were

1 filed of failed service, as well as a returned certified letter
2 to Ramsey court, as well as a returned first-class letter. There
3 were four failed hearings that I was never given any chance to
4 defend myself or be heard, which is like a direct violation of
5 my constitutional right, which is federal law as well as the
6 Minnesota state law. No jurisdiction was established over me
7 because there was no service to me.

8 I was not aware of any hearings. I was not aware of
9 anything. The only thing I was aware of was --

10 THE COURT: Wait. Slow down, Ms. Strickland. I
11 can't type as fast as you're speaking.

12 THE RESPONDENT: Sorry. I apologize.

13 THE COURT: Slow down a little.

14 THE RESPONDENT: I do apologize. I'm sorry. It's
15 just --

16 THE COURT: You said there was no jurisdiction
17 established over you, and I didn't -- I wasn't able to process
18 what you said after that.

19 THE RESPONDENT: Due to the four documented
20 failed services over the course of approximately 4 months, no
21 jurisdiction was established. I was not aware of any hearing or
22 any order until February 27th, when I was officially served 2
23 weeks after voluntarily providing my address to Ramsey County
24 Sheriff's Department, when they contacted me with direct
25 accusations that I had texted death threats to the petitioner's

1 mother, which the petitioner's mother told the police that that
2 was untrue. So during that February 4th phone call is when I
3 finally learned that there was any type of activity at all, and
4 even on that day, I still was not aware of the HRO. I was asked
5 repeatedly, were you sent any letters? I was not aware of the
6 context of what that meant. I have never had any type of
7 harassing order or anything, so I didn't understand the context
8 of them asking that. It was not again until February 27th was
9 when I was officially served and when I officially found out,
10 and I have documented proof that David Sheets of the Maricopa
11 County Sheriff's Office served me that day. And he actually
12 himself was confused and asked me if I understood what was going
13 on because the dates didn't make sense, nothing made sense, and
14 I said -- I was crying, shocked, shaking, panic attacks. I had
15 no idea any of this was going on for the months that she was
16 doing any of it, the hearings, the letters.

17 I was -- my father had a stroke in October. I was in New
18 Hampshire. I got married in November, finally, to my husband
19 after years of trying to get everything sorted. I went on a
20 cruise for December. I was not on the internet. I was not having
21 any -- I was basically chased off by this entire situation by
22 her telling people all these lies about courts and hearings and
23 me being a supposed rapist and me being a supposed all these
24 other crazy things. I logged off. I didn't know any of this was
25 going on. The only even suggestion that I had that there was

1 anything going on was just rumors that people were saying.
2 Madeline herself was saying that I've been served, I've been
3 legally served, I've been harassed, I'm being sued, and all this
4 stuff, and I knew that none of that was true. And I had made
5 multiple public statements that none of that was true, up until
6 when I finally found out that she actually had managed to get
7 the court to give her this order based on some false
8 information. So there was never any point until February 27th,
9 when I was directly served by David Sheets of the Maricopa
10 County Sheriff's Department. I had no knowledge of this order at
11 all until February 27th directly.

12 So my only argument can be that my constitutional rights
13 were violated. I was not -- my right to be heard was violated,
14 and the jurisdiction was never established due to lack of
15 service. And if Ms. Lee would like to reopen this and allow me
16 to respond to verifiably false allegations, I would love the
17 chance to do that actually, because I have done nothing. Any of
18 these accusations are not true. They're verifiably false from
19 court records, and from phone records, and from all the records
20 I have.

21 THE COURT: Mr. Manderfeld, any response?

22 MR. MANDERFELD: Thank you, Your Honor.

23 I would start by making it clear that we're not countering
24 or disagreeing with the fact that Ms. Strickland was not served
25 until February 27th. However, we do take issue with her

1 statement that there was a procedural error on the part of
2 Ramsey County.

3 Minnesota Statute 609.748 governs harassment restraining
4 orders, including the procedures for notice of harassment
5 restraining orders. If we flip to subdivision 3 of that statute,
6 subdivision 3, paren 3, it states towards the end of the
7 paragraph, "If personal service cannot be completed in time to
8 give the respondent the minimum notice required under this
9 paragraph, the court may set a new hearing date." As you can see
10 from the record, this was done multiple times.

11 Then paren B, "Notwithstanding paragraph (a), the order for
12 a hearing and temporary order issued" ... "may be served on the
13 respondent by means of a one-week published notice" ... "if the
14 petitioner files an affidavit with the court stating an attempt
15 at personal service" ... "was unsuccessful because the
16 respondent is avoiding" ... "by concealment." My client Madeline
17 Lee did file such an affidavit. We do have evidence that the
18 respondent was actively avoiding service, that is the exhibit --
19 the evidence of that is the exhibit that I uploaded to MNDES
20 that I believe you may have been referring to. If it's all right
21 with Your Honor, I would like to present that exhibit today. Is
22 that all right?

23 THE COURT: Can that exhibit be found in the
24 court file -- in the MNCIS court file, Counsel?

25 MR. MANDERFELD: In the MNCIS court file, no.

1 It's in the MNDES court -- it's in the MNDES system.

2 THE COURT: Is there a reason that you did not
3 include it as part of the various responses that your client has
4 filed up to today?

5 MR. MANDERFELD: I was only retained on this
6 about 2 weeks ago. My understanding of the proper procedure of
7 this was to upload exhibits into MNDES that I'd be presenting at
8 the motion hearing, any exhibit that I'd be presenting. So I
9 wasn't retained when the various affidavits were submitted into
10 MNCIS, and I -- yeah, that's my explanation.

11 THE COURT: I'm not going to allow that at this
12 time.

13 MR. MANDERFELD: Understood.

14 THE COURT: The parties have each filed multiple
15 documents in this court file since approximately March of this
16 year. As Mr. Manderfeld knows as an officer of the court, when
17 parties are self-represented, it's your responsibility to know
18 what the court rules are, follow the court rules accordingly to
19 comply with them. The same applies to you, Mr. Manderfeld, as an
20 officer of the court. I just don't think it's fair to the court
21 that on the morning of a motion hearing is when the court would
22 be exposed to your exhibits. It's just -- it's not reasonable or
23 practical. I have other hearings I also need to get to.

24 What's your other argument, Counsel?

25 MR. MANDERFELD: Understood, Your Honor. That is

1 the substance of my argument that there's evidence that Ms.
2 Strickland had been concealing herself from service.

3 The court took the affidavit of Ms. Lee under consideration
4 and filed a notice by publication or other means. The judicial
5 officer determined that the other means of affidavit by direct
6 mail with a request for forwarding address would be the best and
7 most practicable means of providing service on Ms. Strickland
8 rather than published notice, and that's the route that the
9 court took. I do not believe that that was improper when the
10 court took that route, and that service was effectuated by
11 publication or other means.

12 In the alternative, if you do not agree with that, I would
13 ask that the harassment restraining order remain in place until
14 the time of an evidentiary hearing.

15 THE COURT: Ms. Strickland, any brief response?

16 THE RESPONDENT: The only response I have is that
17 if there is alleged proof that I concealed my information from
18 Ms. Lee, and that is factually correct. I did send her a cease
19 and desist on August 17th of 2024 because she was giving my
20 phone number out to random men and having them contact me, that
21 I was having a mental health breakdown. And knowing that she had
22 my information was terrifying, and so when I sent her that cease
23 and desist, I gave her an old address intentionally. In the
24 February 4th police report that I submitted as part of my
25 evidence, it states that Deputy Loya stated that my information

1 given to the court was off by one digit. Whereas the information
2 given to me by Madeline was correct. And ergo proof that she had
3 the correct information all along and chose to submit the
4 incorrect information to the court in terms of my phone number -
5 -

6 THE COURT: Sorry. I don't understand.

7 THE RESPONDENT: Yes.

8 THE COURT: What? What are you saying?

9 THE RESPONDENT: I apologize. I'll try to be more
10 clear.

11 When I sent a cease and desist to Ms. Lee on August 17th of
12 2024, I concealed my address because of fear of my personal
13 safety from her due to her already actions. I did not want her
14 having my real address. I understand what a cease and desist
15 letter is. It's not a legal court document. It's a letter saying
16 you're violating my rights, and if you keep doing this, I'm
17 showing you that I'm documenting it, that's all it is. It
18 doesn't need to have my legal address on it. It's a warning for
19 her to please leave me alone and stop harassing me. Putting a
20 fake address on a cease and desist so that a stalker doesn't
21 come to my home is not concealment to avoid service. She's a
22 dangerous person. She gave my phone number out. I had to change
23 my number. She had men contact me. She admitted to the court she
24 had my contact --

25 THE COURT: What was the address that you listed

1 in your -- or you put in the letter as your address?

2 THE RESPONDENT: My prior address that I had just
3 moved from. I had moved from Mesa to Tempe, and when I sent her
4 the cease and desist, I intentionally obfuscated my address due
5 to the ongoing danger of her behaviors.

6 THE COURT: Right, but what is the address that
7 you had written in the cease and desist letter as your address?

8 THE RESPONDENT: My immediately prior address
9 which was in Mesa. 1930 North Country Club Drive in Mesa,
10 Arizona. I obfuscated my address intentionally in that cease and
11 desist letter because it was a danger that Ms. Lee posed to me.
12 So they do have evidence that I obfuscated my information, and I
13 admit to the Court that I did, and the reason why was to protect
14 my safety, but that was in August 17th of 2024.

15 When Ramsey County called me on February 4th and asked for
16 my address, I voluntarily gave it. It says in the report that I
17 voluntarily gave it. I was not hiding. In fact, I made hundreds
18 of phone calls. I have documented records. I called daily,
19 trying to get information. I called the Minnesota AGL. I called
20 hundreds -- I sent letters. I did everything to try and figure
21 out what was going on because for months these hearings were
22 going on. I had no idea any of this --

23 THE COURT: All right. Okay. Folks, I have to get
24 to other hearings. I have reviewed the many documents that were
25 filed. For the record, I note, for example, Ms. Strickland, that

1 your affidavit does not conform to the requirements for a proper
2 affidavit, yours and Ms. Lee. It doesn't include all of the
3 language that the statute requires, the penalty of perjury
4 language, it doesn't indicate what county and state it was filed
5 in, and I'm generalizing, but that's the general observation
6 that I made.

7 Folks, in Turek versus A.S.P of Moorhead Incorporated, the
8 Minnesota Court of Appeals stated that, "A judgment entered
9 without due service of process must be vacated under" rule
10 governing relief from judgment. I find that Ms. Strickland was
11 properly served as authorized by the court issuing the order for
12 service by alternate means. The reason I find that is the
13 affidavit that was filed by the sheriff in New Hampshire in
14 August, indicated they went to 31 Pierce Street, Concord, New
15 Hampshire. They were told that the respondent does not live
16 there, but then they had contact with Ms. Strickland by phone,
17 who stated that she does not live in the state of New Hampshire.
18 That affidavit gives me reason to believe, Ms. Strickland, that
19 you had notice of an action against you as early as August of
20 2024.

21 Then the affidavit of service that was filed on October 2nd
22 of 2024 states that they went to the address that Ms. Strickland
23 just confirmed she had told the respondent was her address,
24 which is 1930 North Country Club Drive in Mesa, Arizona. And so
25 when the sheriff's deputy then files an affidavit stating that

1 they attempted personal service at that address and weren't able
2 to do so, they did their due diligence. And the court also did
3 its due diligence in organizing service at that address.

4 Thereafter --

5 THE RESPONDENT: That's where the --

6 THE COURT: Ma'am, please do not comment. I am
7 issuing my order.

8 Thereafter, Ms. Lee requested service by alternate means,
9 and the court issued an order accordingly. And so I find that
10 you were properly served, Ms. Strickland. I find that your
11 request to vacate the order was not -- does not satisfy the
12 requirements of Rule 60.02 of the Rules of Civil Procedure, as
13 the argument that you have made to me in today's hearing does
14 not address any of the prongs that I need to satisfy. I find
15 that there are lots of factual disputes between the parties, but
16 that those factual disputes do not necessarily show that Ms.
17 Strickland would prevail at an evidentiary proceeding, thereby
18 that she had a reasonable defense on the merits.

19 I also find that Ms. Strickland has not established that
20 there was a reasonable excuse for her failure to act. In fact,
21 it suggests to me, based on the fact that you deliberately
22 provided a false address to Ms. Lee, that you intentionally
23 evaded participating in this proceeding --

24 THE RESPONDENT: I was being stalked --

25 THE COURT: Ma'am. Ma'am, please do not interrupt

1 me.

2 Because I find that the requirements of Rule 60.02 have not
3 been met, I'm going to deny Ms. Strickland's motion to vacate
4 the harassment restraining order and to reopen this matter and
5 set it for an evidentiary hearing. That means that all the other
6 motions that have been filed, which all piggyback on the motion
7 to vacate, are also going to be denied at this time.

8 Does anyone have any questions for me?

9 MR. MANDERFELD: Not from the petitioner, Your
10 Honor.

11 THE COURT: Ms. Strickland, any questions? I'm
12 going to order the clerk to unmute you at this time so you may
13 ask a question, if you have any.

14 THE RESPONDENT: This is a federal claim, so.

15 THE COURT: Okay. I want to thank you all for
16 your appearance. The hearing -- the order that was issued
17 against Ms. Strickland remains in full force and effect until it
18 expires. Court is adjourned. You are free to go.

19 (The proceedings adjourned at 9:00 a.m.)

20 *****
21
22
23
24
25

1 STATE OF MINNESOTA

2 COUNTY OF RAMSEY

3
4 I, Alicia Lopez, herby certify that I am an
5 official electronic court reporter in the Second
6 Judicial District of the State of Minnesota; that I
7 transcribed to typewriting the foregoing transcript
8 from the digital recordings taken in Ramsey County,
9 Minnesota on May 23rd, 2025; and that the foregoing
10 transcript consisting of 16 pages, constitutes a
11 full, true, and accurate transcription of said
12 proceeding.

13
14 Dated and signed the 12th day of August 2025.

15
16 
17

18 _____
19 Alicia Lopez

20 Court Reporter
21
22
23
24
25

May 23, 2025 12:29 PM

Filed in District Court
State of Minnesota

State of Minnesota
Ramsey County

District Court
Second Judicial District

Court File Number: **62-HR-CV-24-963**

Case Type: Harassment

Madeline Sally Machla Lee vs. Kellye
Strickland

Order Denying Motion

The above-entitled matter came on for a hearing before the undersigned on May 23, 2025

Appearances:

Kellye Strickland, Respondent, present
Madeline Lee, Petitioner, present

Pro Se
Kyle Manderfeld, Attorney, present

Based upon all the file, records and proceedings here, including statements at the motion hearing, the court makes the following **FINDINGS OF FACT**:

- ☒ The petitioner had notice of the hearing.
- ☒ The respondent had notice of the hearing.
- ☐ Other: _____.

IT HEREBY ORDERED:

1. The ☐ petitioner's / ☒ respondent's motion dated 4/17/25 is denied, and respondent's motions filed after 4/17/25 are dismissed.
2. The harassment restraining order dated 12/12/24 remains in full force and effect.
3. Other: _____.

Dated: _____



Larmouth, Jenese
(Referee)
May 23, 2025 12:29 PM

Referee of District Court

Dated: _____

Judge of District Court

State of Minnesota
Ramsey County

District Court
Second Judicial District

Court File Number: 62-HR-CV-24-963

Case Type: Harassment

Notice of Filing of Order

PLEASE TAKE NOTICE THAT you are hereby notified that the attached Order has been filed in this case. The date of filing is represented on the "FILED" stamp on the face of the order.

Donald Harper
Court Administrator
Ramsey County District Court
25 West Seventh Street
Saint Paul, MN 55102
(612) 266-5130

A true and correct copy of this notice has been served pursuant to Minnesota Rules of Civil Procedure, Rule 77.04.