

Case Title: State of Mayflower v. Kash0507

Docket: CR-168-25

Decision Date: October 1, 2025

Court: Mayflower District Court, District for the County of Clark

Judge: krabzatonin, Associate Justice (Ret.)

Disposition: Dismissed with prejudice.

Keywords: Dismissal with prejudice, criminal law.

Summary: Criminal case dismissed with prejudice after prosecutor failed to draft summons.

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STATE OF MAYFLOWER DISTRICT COURT  
DISTRICT FOR THE COUNTY OF CLARK

STATE OF MAYFLOWER,

*Plaintiff(s),*

-v. -

KASH0507,

*Defendant(s).*

Case No. CR-168-25

**MEMORANDUM AND ORDER**

KRABZATONIN, ASSOCIATE JUSTICE (RET.):

On October 7, 2025, the Government filed a criminal complaint charging Defendant with one count of 1 M.S.C. § 1303 “Gross Misconduct.” On the same day, the Court found probable cause and instructed the Government to draft a criminal summons. The Government returned a draft on the 11th of October, but it was procedurally invalid due to an invalid invite link. On the 14th of October, the Court informed the Government of this issue and was told it would be rectified. A reminder was issued on the 16th of October.

In lieu of drafting a fixed criminal summons, the Government’s representative, Attorney General Xolaaz, instead decided to go rogue on the 18th of October and disregarded any respect the Government had for this Court. On the other hand, Defendant was stuck between this lack of

basic respect for the Court coupled with the Government's negligence. Of course, a dismissal with prejudice is not meant to punish the Government; rather it serves as an exercise of this Court's "wider supervisory jurisdiction to apply prejudice to any dismissal so long as that decision is based upon publicly available evidence, is logical and well-reasoned." *State of Mayflower v. ISpilledMyTacos*, No. 01-13, slip op. at 3 (June 1, 2025). Here, where the Government willingly avoided fixing a simple error — the invite link — and instead decided to go rogue obviously signalled the Government's intention to prejudice Defendant and their unwillingness to participate in the efficient and fair administration of justice.

It should be noted that while criminal charges are filed or before the courts, a public employee may be (and usually is) placed on administrative leave indefinitely. 4 M.S.C. 7 § 1602(e). If the public employee is a peace officer, they are additionally prohibited from acting in the capacity as a peace officer. 4 M.S.C. 5 § 1601(c). The Court will not make a formal declaration on the constitutionality of such a practice, but will note that it inches ever so closely to the definition of deprivation (of a right). When such a statutory suspension is de facto extended by negligence, a degree of prejudice against Defendant can be implied — especially when there is such a simple fix to the issue.

Given that the Government willingly ignored the Court's instruction to fix their summons and caused Defendant to be on administrative leave for longer than necessary — without a good-faith attempt at rectifying the issue — and upon the Government's motion for dismissal under Mayfl. R. Crim. P. 9(1), it is hereby ORDERED that the above-captioned matter is dismissed with prejudice. The Clerk of the Court is directed to archive this case at their earliest convenience.

**ISSUED BY ORDER OF THE COURT**

Dated: Lander, Mayflower  
October 1, 2025

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krabzatonin om, Associate Justice (Ret.)