

**STATE OF MINNESOTA**  
**COUNTY OF HENNEPIN**

**DISTRICT COURT**  
**FOURTH JUDICIAL DISTRICT**

<b>Wilson Nduri Tindi,</b>	)	<b>MOTION TO WITHDRAW SUCCESSIVE</b>
Petitioner,	)	<b>FOR POSTCONVICTION RELIEF</b>
vs	)	
<b>State of Minnesota,</b>	)	Court File No. 27-CR-14-35561
Respondent.	)	

**TO: The Honorable Juan G. Hoyos, Judge of District Court,**

NOW COMES Petitioner, and respectfully moves this Court for leave to voluntarily withdraw his pending successive petition for postconviction relief, filed on May 6, 2025, in the above-captioned matter. In support of this motion, Petitioner states as follows:

1. Petitioner filed the current successive petition for postconviction relief pursuant to Minn. Stat. § 590.01, alleging constitutional violations related to ineffective assistance of counsel and newly identified authority under Matter of M- and Matter of Z-.
2. The State has filed a detailed response asserting that the petition is both procedurally barred under *State v. Knaffla*, 243 N.W.2d 737 (Minn. 1976), and untimely under Minn. Stat. § 590.01, subd. 4, further arguing that no exception to the time limitations applies.
3. After careful review of the State's opposition and existing Minnesota caselaw, Petitioner acknowledges that prevailing under the current statutory and precedential framework presents significant legal and procedural challenges that may preclude meaningful adjudication on the merits at this time.
4. In the interest of judicial economy, and to preserve any potential rights that may exist in the event of future developments in state or federal postconviction or constitutional jurisprudence, Petitioner respectfully moves to voluntarily withdraw the pending successive petition without prejudice.
5. This request for withdrawal is made solely as a procedural election in light of the current legal posture of the case and does not constitute any concession or admission as to the validity of the underlying constitutional claims previously asserted, nor does it waive any future rights that may arise under applicable law.

6. Petitioner reserves any and all rights to seek postconviction relief in the future in the event of a change in legal standards or newly available remedies.

WHEREFORE, Petitioner respectfully requests that this Court:

- (a) Grant leave to withdraw the pending postconviction petition filed on May 6, 2025.
- (b) Dismiss the petition without prejudice; and
- (c) Preserve Petitioner's ability to seek appropriate relief in the future consistent with any changes in governing law.

Dated 6/15/2025

Respectfully submitted,



Wilson Tindi

MINNESOTA  
JUDICIAL  
BRANCH