

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ITASCA

NINTH JUDICIAL DISTRICT

State of Minnesota,
Plaintiff,

**DEFENDANT’S MEMORANDUM OF
LAW**

vs.

Jacob James Langeslag,
Defendant.

Court File No: 31-CR-25-1157

INTRODUCTION

The defendant, Jacob James Langeslag (hereinafter, “Mr. Langeslag”) is charged with fourteen counts of animal torture under Minn. Stat. § 343.21, Subd. 1 and Minn. Stat. § 343.21, Subd. 9(d), three counts of overworking/mistreatment of animals under Minn. Stat. § 343.21, Subd. 2 and Minn. Stat. § 343.21, Subd. 9(a) and three counts of violating Minn. Stat. § 35.82, Subd. 2(a) and Minn. Stat. § 35.96, Subd. 1.

On February 9, 2026, Mr. Langeslag moved this court for an order dismissing all twenty counts of the Complaint against the defendant for lack of probable cause pursuant to Minn. R. Crim. P. 11.04 and *State v. Florence*, 306 Minn. 442, 239 N.W.2d 892 (1976); *State v. Rud*, 359 N.W.2d 573, 577–79 (Minn. 1984).

SUMMARY OF EVIDENCE

A. Law Enforcements Initial Contact with Landowner

On February 24, 2025 Deputy Gary O’Brien was dispatched to 24147 Maple Dr. W., Bovey MN 55709.¹ The daughter of the homeowner had called because of numerous dead goats on the

¹ 1.b. Incident Report - Gary Obrien, Tracking # T-000012.

property.² The homeowner, Gregory Catlin-McKittrick, made a statement to Deputy O'Brien.³ Mr. Catlin-McKittrick described the arrangement between him and Mr. Langeslag.⁴ Mr. Langeslag would have the goats on his property and the goats would trim his fields and "clean out the areas and garbage and stuff."⁵ Mr. Catlin-McKittrick stated that the arrangement worked out well.⁶ He then stated that "then the goats started getting out."⁷ He further advised Deputy O'Brien that he saw Mr. Langeslag about once a day.⁸ He opined that he did not think Mr. Langeslag was taking care of the goats.⁹ When he spoke to Deputy O'Brien on February 24, 2025, Mr. Catlin-McKittrick stated that he had he had last seen Mr. Langeslag two days prior.¹⁰

Mr. Catlin-McKittrick stated that Mr. Langeslag plugged in his ice house so he could stay on the property to care for the goats, but although the ice house remained plugged in, he claimed that Mr. Langeslag may have only stayed overnight once or twice at the property.¹¹ When asked about the number of dead goats, Mr. Catlin-McKittrick stated there were likely closer to 30, though possibly 15 in one area, and described a pile of goats near a lookout area.¹² Mr. Catlin-McKittrick stated he was unhappy with the overall arrangement and what had resulted.¹³ He also stated he has been handicapped and unable to regularly check the property.¹⁴

² Id.

³ Id. and 3.g.Axon Capture Audio 2025-02-24 194731 705, Tracking # T-000182.

⁴ 3.g.Axon Capture Audio 2025-02-24 194731 705, Tracking # T-000182, 00:21 – 00:35.

⁵ Id.

⁶ Id.

⁷ Id.

⁸ Id. at 00:36 – 01:13.

⁹ Id.

¹⁰ Id. at 01:25 – 01:39.

¹¹ Id. at 02:08 – 02:20.

¹² Id. at 02:45 – 03:02.

¹³ Id. at 03:12 – 03:57

¹⁴ Id. at 04:09 – 04:35.

B. Law Enforcement Follow Up Visit to Property

On February 25, 2025, Deputy O'Brien, assisted by Deputy Johnson and Deputy Holum, returned to Mr. Catlin-McKittrick's property.¹⁵ After receiving no response at the residence door, the deputies heard machinery operating south of the home in the area identified as the goat enclosure.¹⁶ Upon approaching the enclosure, they observed Mr. Catlin-McKittrick operating a John Deere tractor and another adult male, later identified as Mr. Langeslag, loading deceased goats into the tractor bucket.¹⁷ Mr. Catlin-McKittrick stated that approximately 20 deceased goats had already been removed from the enclosure, with two additional carcasses in the tractor bucket.¹⁸ He indicated that additional deceased goats had recently been discovered by family members.¹⁹ According to Mr. Catlin-McKittrick, Defendant had advised him that he had been ill and unable to care for the goats.²⁰ Mr. Catlin-McKittrick further stated that Defendant does not reside on the property but had placed a fish house there, indicating he would stay overnight to care for the animals; however, Mr. Catlin-McKittrick stated that, to his knowledge, Defendant had not stayed there.²¹

At the deputy's request, Mr. Catlin-McKittrick identified multiple locations where deceased goats had been piled.²² One pile was described as the current disposal location, and another as a prior dumping site used by Defendant before equipment became inoperable.²³ These

¹⁵ 1.b. Incident Report - Gary Obrien, Tracking # T-000012.

¹⁶ Id.

¹⁷ Id.

¹⁸ Id.

¹⁹ Id.

²⁰ Id.

²¹ Id.

²² Id.

²³ Id.

locations were documented in evidentiary photographs.²⁴ Mr. Catlin-McKittrick signed a consent to search form for the property.²⁵

Defendant approached during the deputies' presence and was advised that law enforcement was investigating an animal neglect complaint and would be applying for a search warrant.²⁶ Defendant then left the property.²⁷

A search warrant was subsequently obtained and executed.²⁸ A veterinarian responded to assess the situation.²⁹ In addition to the identified piles, other goat carcasses were located south of the residence, some were skeletal remains.³⁰

Mr. Catlin-McKittrick stated that approximately 140 goats had at one time been housed in the enclosure and it was later determined that 49 goats remained alive at the time of execution of the warrant.³¹ Based on those figures, approximately 91 goats were deceased and located in the piles, elsewhere on the property, or otherwise unaccounted for.³²

Mr. Catlin-McKittrick stated he had moved approximately 18 deceased goats and that one remained to be removed from the pen.³³ Mr. Catlin-McKittrick confirmed the goats had been fed and watered that day and that Mr. Langeslag had been on the property multiple times on February 25, 2025.³⁴ Mr. Catlin-McKittrick explained to law enforcement the arrangement between him and Mr. Langeslag. He stated the goats were originally brought to the property pursuant to an

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ Id.

³⁰ Id.

³¹ Id.

³² Id.

³³ 4.c. Axon Body Camera first contact on 02 25 25, Tracking # T-000195, 02:00 – 02:17.

³⁴ Id. at 08:17–08:27.

agreement that Mr. Langeslag could keep the goats at the property in return for having the goats clear brush and debris.³⁵

C. Statement to Law Enforcement from Mr. Langeslag.

Mr. Langeslag voluntarily met with Lieutenant Mark Weller at the Itasca County Sheriff's Office and provided a statement. Mr. Langeslag stated he had been in the goat business approximately 14–15 years and had owned “thousands of goats” over that time.³⁶ He confirmed that he had an arrangement in which he was clearing the land in exchange for use of the property³⁷. He acknowledged that many goats were lost during the winter.³⁸ Mr. Langeslag attributed the losses to a combination of extreme cold temperatures and legal restrictions that limited his access to the property.³⁹ He stated an HRO had been issued, restricting his access to the goats and the property, which required him to “stand down” during part of a significant cold snap.⁴⁰ However, he hired Joshua Anderson to care for the goats during that time.⁴¹

Mr. Langeslag stated the goats were provided hay, mineral, grain, and occasional medicated feed.⁴² He indicated he obtained feed and supplies from L&M and Fleet Farm and purchased vaccinations and worming materials from Premier Supply.⁴³ Regarding water, Mr. Langeslag explained that he either hauled water to the property or brought the goats to a nearby pond owned by Mr. Catlin-McKittrick, where he drilled holes in the ice for access to water.⁴⁴ He stated Joshua Anderson at times hauled water from his own farm, located approximately five minutes away.⁴⁵

³⁵ Id. at 18:10 – 18:39.

³⁶ 3.f. animal owner Jake L statement so, Tracking # T-000179, 03:26 – 03:31.

³⁷ Id. at 04:51 – 05:05.

³⁸ Id. at 07:32 – 07:35.

³⁹ Id. at 03:53 – 04:09; 08:55 – 09:01.

⁴⁰ Id. at 04:09 – 04:49; 06:06 – 06:48.

⁴¹ Id. at 06:48 – 06:57.

⁴² Id. at 05:13 – 06:06; 07:42 – 08:01.

⁴³ Id. at 07:42 – 08:40.

⁴⁴ Id. at 09:05 – 09:18; 10:22 – 10:51.

⁴⁵ Id. at 09:28 – 09:39.

Mr. Langeslag acknowledged Greg's wells on the property were not functioning and stated he was unaware of that initially.⁴⁶ Mr. Langeslag stated goats should be offered as much water as they can consume.⁴⁷ He stated goats could consume snow in winter conditions and described drilling new holes in the pond ice daily to provide freshwater access.⁴⁸

Mr. Langeslag clarified that approximately one and one-half months prior to the interview, he used a skid loader to place approximately 15 round hay bales inside the goats' pen.⁴⁹ He clarified multiple times that while he had not moved additional bales since that time, the goats had continuous access to hay because the bales were left in a row inside the enclosure.⁵⁰ He further stated the goats would eat from one bale at a time and move to fresher hay as needed.⁵¹

Mr. Langeslag further stated there were approximately three to six water containers in the pen with the goats, some capable of holding up to 30 gallons.⁵² He acknowledged water could freeze in cold temperatures and stated he would either chisel ice from buckets or walk the goats to a nearby pond to access fresh water.⁵³

Jake stated he had owned goats for approximately 14–15 years and considered himself experienced in goat care.⁵⁴ He estimated he initially had approximately 100 goats, though he indicated the number could have varied between 90 and 120.⁵⁵ He acknowledged moving deceased goats to a pile in preparation for potential livestock indemnity documentation but did not provide a specific count.⁵⁶

⁴⁶ Id. at 09:42 – 09:46; 09:47 – 09:53.

⁴⁷ Id. at 10:04 – 10:14.

⁴⁸ Id. at 10:55 – 11:23.

⁴⁹ 3.b. owner - Jake L. statement so, Tracking # T-000175, 04:56 – 05:03; 09:27 – 09:36.

⁵⁰ Id. at 01:42 – 02:05; 04:25 – 04:41.

⁵¹ Id. at 06:49 – 07:15; 09:10 – 09:27.

⁵² Id. at 05:43–05:53

⁵³ Id. at 05:53 – 06:04; 22:15 – 22:27.

⁵⁴ Id. at 10:28 – 10:34; 28:04 – 28:11.

⁵⁵ Id. at 17:09 – 17:23.

⁵⁶ Id. at 16:35 – 17:03.

Mr. Langeslag denied that dehydration, lack of nutrition, parasites, or other health conditions caused the deaths of the goats.⁵⁷ He stated that when allowed access outside the confinement pen, goats would browse on tree tips and brush, which he believed was beneficial to their diet.⁵⁸

Mr. Langeslag stated he had stayed on the property in a fish house to monitor the goats, though he acknowledged at times placing the structure on Round Lake during the winter.⁵⁹ He stated that he would provide food and water as needed.⁶⁰ Mr. Langeslag denied intentionally neglecting the goats and stated he had done everything within his ability to care for them.⁶¹

D. Veterinarian Opinion.

On February 25, 2025, a veterinarian, Dr. John Howe, was called to examine the living goats.⁶² He has 48 years of experience as a mixed animal veterinarian.⁶³ The examination was conducted that same day.⁶⁴ Dr. Howe observed 49 remaining live goats from an original herd of approximately 140 animals.⁶⁵ Ninety-one goats were already deceased at the time of the examination.⁶⁶ The herd consisted of mixed-breed goats confined within a fenced lean-to structure.⁶⁷ Dr. Howe assigned the live goats a body condition score of 1 on a 1–5 scale, indicating what he describes as extreme emaciation.⁶⁸ He further described the goats as having dull hair coats and medically dehydrated.⁶⁹

⁵⁷ Id. at 10:34 – 10:50.

⁵⁸ Id. at 00:39 – 01:06; 20:21 – 21:09.

⁵⁹ Id. at 19:48 – 20:04; 27:37 – 27:41.

⁶⁰ Id. at 20:00 – 20:09.

⁶¹ Id. at 26:03 – 26:32.

⁶² 1.m. Veterinary Summary, Tracking # T-000010.

⁶³ Id.

⁶⁴ Id.+

⁶⁵ Id.

⁶⁶ Id.

⁶⁷ Id.

⁶⁸ Id.

⁶⁹ Id.

With respect to the deceased animals, he opined that he observed signs consistent with severe dehydration and malnutrition.⁷⁰ He claimed the goats died from water deprivation and malnutrition.⁷¹ He stated that goats require approximately one to four gallons of water per day and must have free access to water at all times, claiming they cannot safely consume their daily requirement in a single sitting⁷². He further stated there should be an 8 – 10 foot paved surface surrounding the water source to reduce contamination and the spread of pathogens.⁷³

Dr. Howe mentions the goats having internal parasites, including whipworms, strongyles, and coccidia, all of which contribute to malnutrition.⁷⁴ He further stated goats require approximately 3–6 pounds of dry matter (nutritious hay) per day per 150 pounds of body weight, along with daily vitamins and trace minerals.⁷⁵ He explained that goats should be periodically evaluated for internal parasites and appropriately dewormed and that minimal vaccination requirements include protection against *Clostridium perfringens* Types C and D and tetanus toxoid.⁷⁶

E. Examination of Dead Goat.

A Necropsy Report was prepared on March 3, 2025, between 10:00 a.m. and 12:30 p.m. by Erica Wietgreffe, necropsy technician, Dr. Caylie Hake, and Dr. Jaclyn Dykstra.⁷⁷ Among numerous findings and a dense discussion of the animal's condition it did state that exogenous causes of emaciation, such as inadequate nutrition, inability to access food, inadequate access to potable water, or extreme environmental exposure, cannot be determined solely from examination

⁷⁰ Id.

⁷¹ Id.

⁷² Id.

⁷³ Id.

⁷⁴ Id.

⁷⁵ Id.

⁷⁶ Id.

⁷⁷ I.j. University of Minnesota Diagnostic Detail Report, Tracking # T-000019.

of the body and must be evaluated in light of the clinical history.⁷⁸ Furthermore, this animal had died following its removal from Mr. Langeslag's control.⁷⁹

Applicable Legal Standard

“The court must determine whether probable cause exists to believe that an offense has been committed and that the defendant committed it.” Minn. R. Crim. Proc. 11.04, Subd. 1(a). “[T]he test of probable cause is whether the evidence worthy of consideration, in any aspect for the judicial mind to act upon, brings the charge against the prisoner within reasonable probability.” *State v. Florence*, 239 N.W.2d 892, 896 (1976). “The prosecutor and defendant may offer evidence at the probable cause hearing.” Minn. R. Crim. Proc. 11.04, Subd. 1(b). “The court may find probable cause based on the complaint or the entire record, including reliable hearsay.” Minn. R. Crim. Proc. 11.04, Subd. 1(b). “Evidence considered on the issue of probable cause is subject to the requirements of Rule 18.05, subd. 1.” Minn. R. Crim. Proc. 11.04, Subd. 1(b).

“In determining whether to dismiss a complaint under Rule 11.04 for lack of probable cause, the trial court is not simply reassessing whether or not probable cause existed to warrant the arrest.” Minn. R. Crim. Proc. 11.04, Comment. “Rather, under *Florence*, the trial court must determine based upon the facts disclosed by the record whether it is fair and reasonable to require the defendant to stand trial.” Minn. R. Crim. Proc. 11.04, Comment; *State v. Florence*, 239 N.W.2d 892, 902. “Unlike proof beyond a reasonable doubt or preponderance of the evidence, probable cause requires only a probability or substantial chance of criminal activity, not an actual showing of such activity.” *State v. Barker*, 888 N.W.2d 348, 353 (Minn. Ct. App. 2016), quoting *State v. Harris*, 589 N.W.2d 782, 790–91 (Minn. 1999).

⁷⁸ Id.

⁷⁹ 1.b. Incident Report - Gary O'Brien, Tracking # T-000012.

“A motion to dismiss for lack of probable cause should be denied where ‘the facts appearing in the record, including reliable hearsay, would preclude the granting of a motion for a directed verdict of acquittal if proved at trial.’” *State v. Lopez*, 778 N.W.2d 700, 703–04 (Minn. 2010), quoting *Florence*, 239 N.W.2d at 903. “In other words, if the facts before the district court ‘present a fact question for the jury’s determination on each element of the crime charged, the charge will not be dismissed for lack of probable cause.’” *State v. Lopez*, 778 N.W.2d 700, 704 (Minn. 2010), citing *State v. Slaughter*, 691 N.W.2d 70, 74–75 (Minn.2005) (quotation omitted). “A motion for judgment of acquittal is properly denied where the evidence, viewed in the light most favorable to the State, is sufficient to sustain a conviction.” *State v. Simion*, 745 N.W.2d 830, 841 (Minn. 2008); see also Minn. R. Crim. P. 26.03, subd. 18(1)(a).

“Probable cause is required for every element of the crime charged.” *State v. Suspitsyn*, 941 N.W.2d 423, 427 (Minn. Ct. App. 2020), citing *State v. Lopez*, 778 N.W.2d 700, 704 (Minn. 2010).

ARGUMENT

I. Counts 1 through 14 of the Complaint Should be Dismissed Because The Goats Were Not Pet or Companion Animals and Mr. Langeslag Did Not Neglect the Animals.

Under Minn. Stat. § 343.21, Subdivision 1, “No person shall overdrive, overload, torture, cruelly beat, neglect, or unjustifiably injure, maim, mutilate, or kill any animal, or cruelly work any animal when it is unfit for labor, whether it belongs to that person or to another person.” “A person who intentionally violates subdivision 1 or 7 where the violation results in death or great bodily harm to a pet or companion animal may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.” Minn. Stat. § 343.21, Subd. 9(d).

“Torture” or “cruelty” is defined as “every act, omission, or neglect which causes or permits unnecessary or unjustifiable pain, suffering, or death. Minn. Stat. § 343.20, Subd. 3. “Pet or

companion animal” is defined as and “includes any animal owned, possessed by, cared for, or controlled by a person for the present or future enjoyment of that person or another as a pet or companion, or any stray pet or stray companion animal.” Minn. Stat. § 343.20, Subd. 6.

Counts 1 through 14 of the Complaint charge Mr. Langeslag with a felony based on the allegation that the goats are pet or companion animals. Defense counsel did not find case law further defining “pet or companion animal” beyond the definition found in Minn. Stat. § 343.20, Subd. 6. That definition essentially states that the animal has to be owned or otherwise possessed as a pet or companion. It is a circular definition as it simply restates that pet or companion animals are pet or companion animals. One could interpret it as defining a pet or companion animal based on a person’s actions relative to that animal, that is, a pet or companion animal is an animal treated as a pet or companion animal.

Generally, words in statutes are given their ordinary and plain meaning. See Minn. Stat. § 645.08(1). Lay dictionaries may be used to ascertain the ordinary and plain meaning of words. See *State v. Powers*, 962 N.W.2d 853, 858 (Minn. 2021). A “pet” can be defined as a “a domesticated animal kept for pleasure rather than utility”⁸⁰, “an animal that you keep in your home, for pleasure rather than for work or food”⁸¹, or “[a]n animal kept for enjoyment or companionship”⁸².

A “companion” can be defined as “one that accompanies another”⁸³, “one that keeps company with another”⁸⁴, “a person who is frequently in the company of, associates with, or accompanies another”⁸⁵, or “ someone who you spend time with or who you are traveling with”⁸⁶.

⁸⁰ <https://www.merriam-webster.com/dictionary/pet>

⁸¹ <https://dictionary.cambridge.org/us/dictionary/english/pet>

⁸² <https://ahdictionary.com/word/search.html?q=pets>

⁸³ <https://www.merriam-webster.com/dictionary/companion>

⁸⁴ <https://www.merriam-webster.com/dictionary/companion>

⁸⁵ <https://www.dictionary.com/browse/companion>

⁸⁶ <https://www.collinsdictionary.com/us/dictionary/english/companion>

A. The Available Evidence Fails to Establish Probable Cause that the Goats were Pet or Companion Animals.

This was a herd of 140 goats. It is unusual to keep that many animals in a home, or for pleasure. Furthermore, the goats in this case were being kept in conditions more closely associated with livestock like cattle or sheep. The goats were kept outside in barnlike structures. Generally pet animals are not kept in such conditions. The record does not contain any statements indicating that the goats that were at Mr. Catlin-McKittrick's property were anything other than livestock.

Some of the goats had ear tags, once again similar to livestock. The arrangement between Mr. Langeslag and Mr. Catlin-McKittrick was for the goats to help clear vegetation from Mr. Catlin-McKittrick's property in return for allowing Mr. Langeslag's goats to stay there. In other words, the goats were used for utility purposes. The allegations in this matter suggest that Mr. Langeslag did not live at Mr. Catlin-McKittrick's property, further suggesting these goats were not pet or companion animals. He was allegedly not living with the goats. The goats were not accompanying him anywhere if that evidence is to be believed.

Overall, the evidence does not support subjecting Mr. Langeslag to trial on the basis that the goats were pet or companion animals. Even at the lower probable cause standard, the evidence that could be produced at trial could not reasonably prove the goats are pet or companion animals. Therefore, Counts 1 through 14 of the complaint should be dismissed.

B. The Social Media Posts Do Not Support Any Assertion of Probable Cause that the Goats were Pet or Companion Animals.

In the exhibits uploaded to MNDES the State included approximately twenty-one Facebook posts⁸⁷, five instagram posts⁸⁸, and some videos that appear to be social media posts⁸⁹. Assuming these items established those goats as pet or companion animals, it does not establish that the goats in the social media posts are the same goats in this case. It is possible that some goats that Mr. Langeslag has owned

Mr. Langeslag stated that he has raised thousands of goats. There is no telling which goats are in the social media posts and videos. Nine of the posts predate 2020. Twelve of these posts are a year or more before the alleged dates of offense in this case. None of the evidence provided can connect those specific goats to the goats in this case that are the subject of Counts 1 – 14. In other words, the goats in the social media posts are not established to be any of the goats that were located at Mr. Catlin-McKittrick's property. This evidence does not establish probable cause that the goats at issue in this matter were pet or companion animals.

At best the social media posts and videos show that Mr. Langeslag cared for his goats, used them for marketing his businesses which involved the goats, and otherwise wanted to share them with the world. There is nothing in these items that support probable cause that the goats were pet or companion animals.

⁸⁷ 2.aaaaaa. 10, Tracking # T-000033; 2.fffff. Langeslag, Tracking # T-000128; 2.gggggg. Langeslag, Tracking # T-000086; 2.hhhhhh. Langeslag, Tracking # T-000170; 2.iiiiii. Langeslag, Tracking # T-000127; 2.jjjjjj. Langeslag, Tracking # T-000063; 2.kkkkkk. Langeslag, Tracking # T-000076; 2.llllll. Langeslag, Tracking # T-000071; 2.nnnnnn. Langeslag, Tracking # T-000094; 2.oooooo. Langeslag, Tracking # T-000048; 2.pppppp. Langeslag, Tracking # T-000115; 2.qqqqqq. Langeslag, Tracking # T-000156; 2.rrrrr. 1, Tracking # T-000155; 2.rrrrrr. Langeslag, Tracking # T-000082; 2.sssss. 2, Tracking # T-000089; 2.ttttt. 3, Tracking # T-000147; 2.uuuuu. 4, Tracking # T-000101; 2.vvvvv. 5, Tracking # T-000059; 2.wwwww. 6, Tracking # T-000072; 2.xxxxx. 7, Tracking # T-000098; 2.zzzzz. 9, Tracking # T-000055.

⁸⁸ 2.bbbbbb. 11, Tracking # T-000168; 2.ccccc. 12, Tracking # T-000064; 2.dddddd. Langeslag, Tracking # T-000159; 2.eeeee. Langeslag, Tracking # T-000163; 2.ssssss. Langeslag, Tracking # T-000039.

⁸⁹ 4.q. 6 - Video, Tracking # T-000198; 4.g. jakelangeslag - 02020224 - TikTok, Tracking # T-000190; 4.n. Langeslag, Tracking # T-000199; 4.o. Langeslag, Tracking # T-000197; 4.p. Langeslag, Tracking # T-000200; 4.h. jakelangeslag - 03012025 - TikTok, Tracking # T-000188.

C. There is No Probable Cause that Mr. Langeslag overdrove, overloaded, tortured, cruelly beat, neglected, or unjustifiably injured, maimed, mutilated, or killed the Goats.

The evidence provided by the State and the Complaint all seem to point to neglect as being the act Mr. Langeslag engaged in that lead to the dead goats. There is no witness statement or report that he engaged in torture of the animals. Or that he unjustifiably injured, maimed, mutilated, or killed the goats. In other words, neglect appears as the only basis to charge Mr. Langeslag under Minn. Stat. § 343.21, Subdivision 1.

The evidence fails to establish probable cause for neglect of the goats. The pictures, reports and other documents, audio, and video provide a snap shot of a moment in time. There were many dead goats. That is unfortunate. However, there is a lack of evidence in the record that indicates when the goats died. Was it suddenly or over time? Was it disease, cold, or something else? That answer is not given conclusively. There is opinion, but the evidence is at best muddled and not adequate to subject Mr. Langeslag to trial.

Mr. Catlin-McKittrick told law enforcement that Mr. Langeslag was at the property about once a day as far as he knew. He also indicated that he had issues with mobility, suggesting that he might not have been in a position to consistently check on and be in in contact with Mr. Langeslag if he was at the property caring for the goats. The evidence shows that Mr. Langeslag was going to the property frequently. He was not neglecting the goats.

If he was not at the property, he had another person attend to the goats. Mr. Catlin-McKittrick stated this and Mr. Langeslag himself informed law enforcement that he had help to care for the goats when necessary. When law enforcement went to follow up on this matter, Mr. Langeslag was present. He had taken care of the goats that day, like he had consistently been doing. There was hay available for the goats and it is not clear how the goats had been deprived.

Dr. Howe examined the goats and provided an opinion as to what he saw in that moment. However, it is not clear that his experience makes him capable of providing an expert opinion on what caused the goats to die or when they died. He plenty of experience treating animals, 48 years of experience as of the date he examined the goats. But he mentions being a mixed vet. Not focused on the care or treatment of goats. He provides various statements and conclusions about the death of the goats without specifying how he reached that conclusion. He stated that “[o]f the dead animals, they looked seriously dehydrated and malnourished” without providing further detail as to why they looked dehydrated and malnourished. He mentioned that the contents of the dead goats’ stomachs “were hard dry balls of impacted rumen contents” and further states “[t]hese animals died from water deprivation and malnutrition.” However, in none of that does he identify how he reached that conclusion. He further discusses that “[g]oats need one to four gallons of water per day and “need free access to water 24/7.” Once again, he does not indicate how or why he knows these goats were deprived of that. His report is heavy on conclusions but light on explanation.

The necropsy report from the University of Minnesota, whatever its insights and conclusions, examined a goat that died after it had left the care of Mr. Langeslag. The necropsy report further states that, essentially, neglect cannot be determined solely from examination of the body. In total, there is insufficient evidence to support probable cause that Mr. Langeslag engaged in neglect that caused the goats to die.

II. The Available Evidence Fails to Establish Probable Cause that the Goats Were Deprived of Necessary Food, Water, or Shelter.

Under Minnesota law, “[n]o person shall deprive any animal over which the person has charge or control of necessary food, water, or shelter.” Minn. Stat. § 343.21, Subd. 2.

The evidence the State provided in relation to Mr. Langeslag's motion does not establish that the Goats were deprived of necessary food, water, or shelter. As mentioned already, Mr. Langeslag was at the property at least once a day and when he was not, he had help. The goats had hay and water. Dr. Howe tried to state "[t]here was no available source of water." This is not accurate. Sources of water included the pond, snow, and buckets of water in the enclosure where the goats were found. It was admittedly dirty at the time law enforcement and Dr. Howe were present, but nothing indicates this was a perpetual condition for the goats, that the buckets were not cleaned out regularly.

Minn. Stat. § 343.21, Subd. 2. criminalizes deprivation of necessary sustenance. It does not criminalize for imperfect livestock management, suboptimal nutrition, or failure to comply with every recommended veterinary protocol. The State therefore must prove not merely that the goats were in poor condition, but that the owner deprived them of necessary food, water, or shelter. The veterinary analysis offered here does not meet that burden even at a probable cause level. The conclusions lack explanation and foundation.

With respect to the supposed lack of water, Dr. Howe states that the goats were "medically dehydrated" and that the owner drilled a hole in a nearby swamp and brought them out every so many days for water. However, this is not based on his own observations, he is relying on reports relayed to him, not his own experience with what happened. The report does not define "medically dehydrated," does not quantify the degree of dehydration, and does not explain the diagnostic criteria used to reach that conclusion. It does not indicate whether laboratory testing was performed, whether dehydration could have developed acutely, or whether other medical conditions may have contributed. Most importantly, the report does not establish that the goats

were denied access to water altogether. Temporary dehydration at the time of examination is not synonymous with proof that necessary water was ever withheld.

Dr. Howe assigned a body condition score of 1 on a 1–5 scale and notes rough, dull hair coats. Yet the report does not explain the scoring methodology applied, the time frame over which weight loss allegedly occurred, or whether baseline weights were known. It does not account for seasonal weight variation, age, hierarchy within the herd, parasite burden, illness, or environmental stressors. A low body condition score is an observation; it is not, by itself, proof of deprivation.

Dr. Howe states that goats “require 3–6 pounds of dry matter (nutritious hay) per day per 150 lbs.” reflects a generalized nutritional guideline, but the report does not establish that the goats received no dry matter and does not explain how Dr. Howe concluded that intake fell below a necessary threshold. There is no calculation of feed availability, no analysis of the nutritional content of the forage provided, and no evidence that the animals were entirely deprived of sustenance. The statute does not codify a specific feeding formula or mandate optimal hay-based rations; it prohibits deprivation of necessary food.

Dr. Howe described vitamins, trace minerals, parasite checks, deworming, and minimal vaccine requirements. These references appear to describe best-practice recommendations, not statutory mandates. Minn. Stat. § 343.21, Subd. 2. does not criminalize the absence of mineral supplementation or routine vaccination. The report offers no explanation of how the absence of any specific supplement or vaccine resulted in deprivation of necessary food, water, or shelter.

The overall evidence does not establish a “probability or substantial chance of criminal activity” under Minn. Stat. § 343.21, Subd. 2. and, therefore, Counts 15 through 17 of the Complaint should be dismissed for lack of probable cause.

III. The Available Evidence Fails to Establish Probable Cause that the Dead Goats Were Improperly Disposed of Otherwise Not Buried

“Except as provided in subdivision 1b and paragraph (d), every person owning or controlling any domestic animal that has died or been killed otherwise than by being slaughtered for human or animal consumption, shall as soon as reasonably possible bury the carcass at a depth adequate to prevent scavenging by other animals in the ground or thoroughly burn it or dispose of it by another method approved by the board as being effective for the protection of public health and the control of livestock diseases.” Minn. Stat. § 35.82, Subd. 2(a).

It is impossible to determine how soon would have been reasonably soon enough for the carcasses of these goats to have been buried. From the record, it is not certain when the goats had died. Mr. Langeslag was attempting to dispose of the goats when law enforcement arrived. At the time of the alleged date of offense, it was winter. Winter cold tends to make the ground hard and burial much more difficult. This would impact on how reasonably soon the goats could be buried. Furthermore, there was no evidence of scavenging. No reports of animals picking apart the dead bodies, no sightings of coyotes or other animals that might come and eat a carcass. Mr. Catlin-McKittrick mentioned to law enforcement his dogs had grabbed some goat bodies. But it is not established if the dogs killed the goats, how soon the goats had died or the condition of the goat bodies. Without any of this evidence and given the circumstances it is not possible to establish probable cause that Mr. Langeslag violated Minn. Stat. § 35.82, Subd. 2(a).

CONCLUSION

As a result of the foregoing, all Counts in the Complaint should be dismissed.

Dated: March 3, 2026

/s/ John A. Abress

John A. Abress #0395129

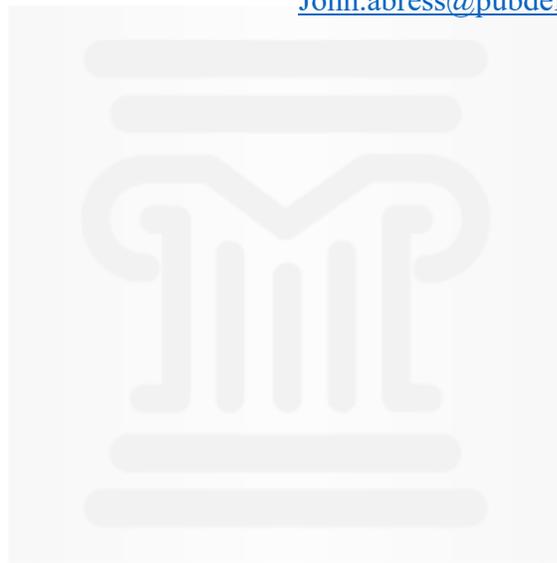
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