STATE OF MINNESOTA
IN COURT OF APPEALS
A19-0926

In re the Matter of the Civil Commitment of:
Matthew David Feeney.

Filed November 12, 2019
Affirmed; motions denied
Ross, Judge

Washington County District Court
File No. 82-PR-18-2244

Paul Engh, Tyler Bliss, Minneapolis, Minnesota (for appellant)

Peter Orput, Washington County Attorney, James Zuleger, Assistant County Attorney, Stillwater, Minnesota (for respondent)

Considered and decided by Slieter, Presiding Judge; Ross, Judge; and Reilly, Judge.

U N P U B L I S H E D O P I N I O N

ROSS, Judge

A Minnesota district court sentenced Matthew Feeney to prison for criminal sexual conduct, and a Massachusetts court sentenced him to five years' imprisonment to be served consecutive to his Minnesota sentence. The Washington County Attorney petitioned to have Feeney civilly committed shortly before his expected Minnesota release date. Feeney moved to dismiss the petition for lack of personal jurisdiction, citing his pending Massachusetts sentence and arguing that the county's petition violated the Full Faith and

Credit Clause, the Due Process Clause, and the comity doctrine. The district court denied Feeney's motion, and Feeney filed this interlocutory appeal. We affirm the district court because no temporal limit bars the county's petition, because the district court properly exercised jurisdiction, and because continued commitment proceedings do not violate the Full Faith and Credit Clause, the Due Process Clause, or the comity doctrine.

FACTS

Matthew Feeney had a history of criminal-sexual-conduct convictions in Minnesota when he pleaded guilty in 2013 to two felony counts of criminal sexual conduct. The district court sentenced him to concurrent 109-month and 54-month prison terms. During his incarceration, he also pleaded guilty in Massachusetts superior court to three counts of indecent assault and battery on a person 14 or older, one count of enticing a child under 16, and one count of an unnatural act with a child. The Massachusetts superior court sentenced Feeney to five years' imprisonment to be served consecutive to his Minnesota sentence.

Feeney had resided in Washington County before his imprisonment. The Washington County Attorney petitioned the district court on February 8, 2019, to commit Feeney as a sexually dangerous person and sexual psychopathic personality under the Minnesota Commitment and Treatment Act: Sexually Dangerous Persons and Sexual Psychopathic Personalities (MCTA). Minn. Stat. §§ 253D.01–.36 (2018). The county served Feeney with the petition that same day at the Moose Lake Minnesota Correctional Facility, from which Feeney had an expected release date of July 1, 2019.

The district court conducted a preliminary hearing on February 22, 2019. Feeney appeared with counsel. He asked the district court to appoint a neutral examiner and waived the 90- and 120-day deadlines in Minnesota Statutes section 253B.08, subdivision 1 (2018), which would have otherwise required a final hearing before July 1, 2019. Feeney requested a hearing date in August.

Feeney proposed different timing and confinement scenarios based on his expected release from prison in Minnesota, his commitment trial, and his Massachusetts sentence. In one scenario, which would depend on Massachusetts authorities' approval, Feeney would remain in Minnesota to serve his five-year Massachusetts sentence and then face a commitment trial. In another, Feeney would be transferred to Massachusetts to begin his Massachusetts sentence but be immediately returned to Minnesota for the commitment trial. Feeney's last scenario involved holding him during his supervised-release period:

COUNSEL:	Under the civil commitment law, this court can hold Mr. Feeney at the Department of Corrections an additional 210 days after he reaches his supervised release date of July 1st. . . .
THE COURT:	And you believe that that provision would basically overrule Massachusetts['s] power to bring him there for [its] sentence?
COUNSEL:	I will certainly contend that, yes. It's provided in Minnesota law that that can be happening.
THE COURT:	But he essentially stays in our prison facility pending this commitment matter being resolved?
COUNSEL:	Correct. He would stay in the custody of the Department of Corrections in Minnesota for that period of time.

The district court scheduled the final hearing for August 12, 2019, over the county's objection and ordered in part that Feeney "shall continue to be confined in a Minnesota Department of Corrections facility until a final determination on the commitment petition, pursuant to Minn. Stat. § 253D.10, subd. 2."

Feeney filed a "Motion to Dismiss for Lack of Personal Jurisdiction," arguing that, "[a]s of July 1, 2019, [the district court] is by law without jurisdiction over Mr. Feeney, when he is to begin serving his five year Commonwealth of Massachusetts sentence there." Feeney argued that preventing his transfer to Massachusetts violated the Constitution's Full Faith and Credit Clause, its statutory counterpart 28 U.S.C. § 1738 (2012), and the comity doctrine. The district court denied the motion, concluding that it had subject-matter jurisdiction over the commitment and reasoning that it had "personal jurisdiction over Mr. Feeney once he was served and appeared." The district court recognized that "Massachusetts has its own interests and own rights, but [Feeney] doesn't have . . . standing to advance objections on behalf of Massachusetts." It clarified, "Massachusetts does have an order. The Court is not changing that or disrespecting that order, but [Massachusetts] may have to wait . . . until Minnesota has conducted business with the same defendant."

Feeney filed an ostensibly interlocutory appeal, and the district court stayed further proceedings. The county moved to dismiss Feeney's appeal or to strike portions of Feeney's brief and addendum. We deferred ruling on the motion, which we now address with the merits of the appeal.

D E C I S I O N

Feeney argues that we should reverse the district court's denial of his motion to dismiss because the county's civil-commitment petition is premature and its timing violates his due-process rights. He also argues that continued commitment proceedings violate the Full Faith and Credit Clause, its statutory counterpart, and the comity doctrine. The county asks us either to dismiss Feeney's appeal or to strike portions of Feeney's appellate pleadings and affirm the district court.

I

We first address the county's position that we must dismiss the appeal for failing to raise issues suitable to our interlocutory review. The scope of review on an interlocutory appeal is generally limited to immediately appealable issues. *See Olson v. First Church of Nazarene*, 661 N.W.2d 254, 260 (Minn. App. 2003) (limiting scope of appeal to jurisdictional issue). We may review otherwise non-appealable issues if they are inextricably intertwined with the properly appealed issue. *See Aon Corp. v. Haskins*, 817 N.W.2d 737, 739, 742 (Minn. App. 2012) (holding that issues necessarily resolved by, and subsumed in or coterminous with, a properly appealed issue are inextricably intertwined). And where the parties have fully briefed issues likely to arise later, the interests of justice and judicial economy may warrant our review of issues otherwise failing to fall within the customary scope of our appellate review. *See* Minn. R. Civ. App. P. 103.04; *Ryan Contracting Co. v. O'Neill & Murphy, LLP*, 868 N.W.2d 473, 481 (Minn. App. 2015) (addressing whether an appellant was entitled to a jury trial on damages "in the

interests of judicial economy because it is likely to arise on remand"), *aff'd as modified*, 883 N.W.2d 236 (Minn. 2016).

Feeney appeals on purported personal-jurisdiction grounds. Orders denying motions to dismiss for lack of personal or subject-matter jurisdiction are immediately appealable. *See McGowan v. Our Savior's Lutheran Church*, 527 N.W.2d 830, 832–33 (Minn. 1995). Justiciability issues are also immediately appealable. *See Cruz-Guzman v. State*, 916 N.W.2d 1, 7–8 (Minn. 2018) (reviewing justiciability issue raised on interlocutory appeal as essential to jurisdiction). Personal jurisdiction generally requires a connection between the party and Minnesota, and a form of process satisfying due process and applicable rules. *See In re Ivey*, 687 N.W.2d 666, 670 (Minn. App. 2004), *review denied* (Minn. Dec. 22, 2004). Feeney fails to discuss these fundamental requirements. But for the reasons that follow, we decline to dismiss his appeal despite this omission because his arguments implicate immediately appealable or inextricably intertwined issues, and the interests of judicial economy favor our review.

We are not persuaded by Feeney's argument that the county's commitment petition is premature and will become "ripe only after [he] nears completion of his Massachusetts sentence." We rejected a similar argument in *In re Civil Commitment of Nielsen*, framing the issue in justiciability terms and clarifying that the prematurity argument challenged the county attorney's statutory authority to petition. 863 N.W.2d 399, 401–02 (Minn. App. 2015), *review denied* (Minn. Apr. 14, 2015). Feeney's argument that the petition's timing violates his right to due process is inextricably intertwined with the question of whether the county's authority to petition is temporally restrained. The crux of Feeney's concern is

that allowing commitment proceedings now would prevent him from gathering treatment-related evidence that might aid him in opposing the commitment petition. As a result, a determination in the county's favor in this appeal is in effect a determination that it may petition without regard to Feeney's potential to obtain future favorable evidence. Feeney's full faith and credit and comity arguments imply that the Minnesota district court's jurisdiction terminated on his anticipated July 1, 2019 release date. In this context we conclude that Feeney's arguments raise justiciability, jurisdictional, or intertwined issues properly before us on his interlocutory appeal. We deny the county attorney's motion to dismiss.

II

We turn to the county's motion to strike portions of Feeney's brief and addendum containing or referring to a Minnesota Department of Corrections (DOC) policy that was not made part of the district court record. "The documents filed in the trial court, the exhibits, and the transcript of the proceedings, if any, shall constitute the record on appeal in all cases." Minn. R. Civ. App. P. 110.01. We generally may not base our decision "on matters outside the record on appeal" or "consider matters not produced and received in evidence below." *Thiele v. Stich*, 425 N.W.2d 580, 582–83 (Minn. 1988). In some cases we strike documents that a party included but that are outside the appellate record. *Fabio v. Bellomo*, 489 N.W.2d 241, 246 (Minn. App. 1992).

But we may consider cases, statutes, rules, and publicly available articles not presented to the district court. *Fairview Hosp. v. St. Paul Fire & Marine Ins. Co.*, 535 N.W.2d 337, 340 n.3 (Minn. 1995). And we need not strike materials that

could be referred to in the course of the court's own research. *See State v. Rewitzer*, 617 N.W.2d 407, 411 (Minn. 2000). Feeney's arguments about the timing of the county's petition address a statute about referrals from the Minnesota Commissioner of Corrections. *See* Minn. Stat. § 244.05, subd. 7(a) (2018). The now-challenged departmental policy affects the timing of the commissioner's referrals. Because the policy is publicly available, *see* Minnesota Department of Corrections Policy § 205.200, *Sex Offender Civil Commitment Screening* (2019), http://www.doc.state.mn.us/DocPolicy2/html/DPW_Display_TOC.asp?Opt=205.200.htm (DOC Policy § 205.200), we decline to strike any portion of Feeney's brief or addendum. We deny the motion to strike and turn to Feeney's challenges to the commitment petition.

III

Feeney contends that the county's petition is premature. Feeney argues specifically that Minnesota Statutes section 244.05, subdivision 7(a) and DOC Policy § 205.200 preclude the county from filing its petition until Feeney nears the end of his Massachusetts prison term. The county maintains that we should not consider Feeney's argument because he forfeited it by failing to raise it in the district court. But a question of justiciability "may be raised at any time" because "it is essential to establishing the court's jurisdiction." *Edina Cmty. Lutheran Church v. State*, 673 N.W.2d 517, 521 (Minn. App. 2004). We therefore address Feeney's legal argument on its merits, and our review is de novo. *See Nielsen*, 863 N.W.2d at 401.

We reject Feeney's argument that section 244.05 and DOC Policy § 205.200 impose a temporal restriction on the county's filing authority. Before the commissioner of

corrections releases an inmate who was convicted of second-degree criminal sexual conduct and who has been determined to pose a high risk to reoffend, the commissioner must make a preliminary determination of whether, "in the commissioner's opinion," a petition for civil commitment as a sexually dangerous person or sexual psychopathic personality "may be appropriate." Minn. Stat. § 244.05, subd. 7(a). Once the commissioner decides that a commitment petition may be appropriate, he "shall forward this determination, along with a summary of the reasons for the determination, to the county attorney." *Id.*, subd. 7(c). After the commissioner makes a referral, the county attorney "shall determine whether good cause . . . exists to file a petition, and if good cause exists . . . shall file the petition with the court." Minn. Stat. § 253D.09(a) (2018). DOC Policy § 205.200 establishes the department's screening procedures for sex-offender civil-commitment referrals. It includes guidelines for *when* certain processes should occur, stating that "[f]ourteen months or more prior to release," the screening committee should begin its review of a sexually-dangerous-person or sexual-psychopathic-personality report. DOC Policy § 205.200(C).

Feeney's theory from this policy is that his evaluation could not begin until 14 months before his release for his Massachusetts crimes. He maintains that, because the commissioner's recommendation occurred before then, the county attorney had no authority to file the subsequent commitment petition, rendering the petition premature and ineffective. The statute and our precedent expose the flaw in Feeney's argument, leading us to conclude that, even if we assume that the commissioner made the referral too early,

the alleged impropriety in the referral's timing did not preclude the county attorney from petitioning for commitment.

The operative statute provides, in part, "Before commitment proceedings are instituted, the facts shall first be submitted to the county attorney, who, if satisfied that good cause exists, will prepare the petition." Minn. Stat. § 253D.07, subd. 1 (2018). The sole substantive prerequisite to preparing the commitment petition is therefore the county attorney's determination "that good cause [for commitment] exists." *Id.* And we have already held that, "if the county attorney determines that good cause under section 253D.07 exists to file a petition, the county attorney can file it regardless of whether the county attorney gets a *proper* referral from the commissioner of corrections." *Nielsen*, 863 N.W.2d at 402 (emphasis added). This defeats Feeney's contention.

Feeney attempts to distinguish this case from *Nielsen*, which dealt with a petition for commitment filed while Nielsen was serving a life sentence for murder. *Id.* at 400. The commissioner referred Nielsen's case to the county attorney for consideration of commitment once Nielsen was scheduled for a parole hearing. *Id.* We addressed Nielsen's justiciability issue as follows:

> Appellant suggests the county attorney should file a petition for civil commitment only when appellant could be released and notes that there is no Minnesota case applying the MCTA where an inmate is serving a life sentence. Appellant's arguments are unconvincing because the statute places no temporal restriction limiting a county attorney's authority to file a petition for judicial commitment. The unambiguous language of the MCTA only requires a finding of good cause under 253D.07 for the county attorney to file a petition.

Id. at 402. That the commissioner made a referral in *Nielsen* was not determinative, as the "only" prerequisite to a county's petition is "a finding of good cause." Even if the DOC failed to observe a procedural timeline, that failure did not deprive the county attorney of his ability or authority to make a good-cause determination when he made it.

We are not persuaded otherwise by Feeney's argument that our *Nielsen* holding "was premised" on the possibility of Nielsen's release. Our analysis depended on the sole requirement of good cause, independent of the fact that Nielsen might have been released. We observed that "appellant's arguments regarding an indeterminate sentence [were] misleading and undermined by the facts of this case." *Id.* at 402. But this observation was not essential to our central holding or its underlying rationale.

The requirement that the county attorney *must* make a good-cause determination after the commissioner makes a referral under Minnesota Statutes section 253D.09(a) does not restrict the county attorney from making the determination on his own. The merit of the county attorney's good-cause determination under Section 253D.07, subdivision 1, therefore stands independent of any temporal defect in the commissioner's referral process. We repeat that there exists "no temporal restriction limiting a county attorney's authority to file a petition," and the "MCTA [requires only] a finding of good cause under 253D.07 for the county attorney to file a petition." *Nielsen*, 863 N.W.2d at 401–02. Feeney's argument as to timing fails, and he does not challenge the county attorney's good-cause determination on the merits.

IV

Having concluded that the department's policy did not temporally restrict the county from petitioning for Feeney's commitment, we address Feeney's related due-process argument. He contends that the timing of the county's petition constitutes an intentional due-process violation depriving him of his right to present "mitigating and exculpatory evidence free from [s]tate interference." The argument fails.

The argument rests on a purported due-process violation that is wholly speculative. It depends on the notion that a person subject to civil-commitment proceedings not only has a due-process right to present existing evidence, but also has the right to delay proceedings so that he *might* be afforded opportunities where he *might* engage in conduct that *might* result in his creating evidence that *might* work to his favor in an eventual commitment trial. The district court accepted Feeney's representation that he presently intends to seek treatment in Massachusetts. Even so, that intention does not establish that Feeney will actually accept treatment, or that he will complete treatment, or that he will complete treatment in a fashion that will result in evidence favorable to his opposition to civil commitment. Feeney cites no legal authority resembling support for a constitutional right to the arrangement he favors.

He does cite *State v. Beecroft*, 813 N.W.2d 814, 839–44 (Minn. 2012), but the case falls far short of supporting his theory. *Beecroft* is a criminal case addressing claims that "state actors violated [Beecroft's] right to present her version of the facts through the testimony of certain expert witnesses." *Id.* at 838. It recognized the right to present a complete defense as "an essential principle of our criminal justice system" as guaranteed

"by the Due Process Clause of both the United States Constitution and the Minnesota Constitution." *Id.* at 838–39. A criminal case reaffirming a defendant's right to present evidence of existing facts does not establish a constitutional, civil-commitment right to delay proceedings so as to allow for the possibility that facts might develop for eventual presentation at trial.

V

The district court concluded that it had personal jurisdiction over Feeney because he was served, appeared, and was afforded "all the due process that is guaranteed by the statutory framework." It also determined it had subject-matter jurisdiction over Feeney's commitment proceedings. Feeney appears to argue that the district court's jurisdiction terminated as of July 1, 2019, when his Minnesota confinement was scheduled to end. His full faith and credit and comity arguments aim to support this claim. We review questions of subject-matter and personal jurisdiction de novo. *Nielsen*, 863 N.W.2d at 402.

The county argues that Feeney must be judicially estopped from raising his full faith and credit and comity challenges because his scheduling requests to the district court prevented a final hearing from occurring before his scheduled release date. The supreme court has not expressly recognized the doctrine of judicial estoppel. *See State v. Pendleton*, 706 N.W.2d 500, 507 (Minn. 2005). We need not consider whether the doctrine applies here because Feeney's arguments fail on their merits.

The district court's personal jurisdiction over Feeney is clear. Personal jurisdiction requires "an adequate connection between the state and the party over whom jurisdiction is sought" and a form of process satisfying due process and the applicable rule. *Ivey*,

687 N.W.2d at 670. In the civil-commitment context, proposed patients must be served with a summons to appear for a prehearing examination and a commitment hearing, as well as a notice of filing of the petition. *See* Minn. Stat. § 253B.07, subd. 4(a), (c) (2018). An adequate connection to Minnesota and proper service of the petition upon the proposed patient are sufficient to establish personal jurisdiction. *See Nielsen*, 863 N.W.2d at 403 (reasoning that service of petition and personal appearance at hearings detract from ineffective-service argument). Feeney does not contest the fact that he lived in Minnesota, was convicted of crimes in Minnesota, was incarcerated for his Minnesota crimes in Minnesota, was served with the county's petition, and personally appeared at two hearings in Minnesota. We have no difficulty seeing that an adequate connection links Minnesota and Feeney and that service was adequate to satisfy due process.

The district court's subject-matter jurisdiction is also clear. "Subject-matter jurisdiction is defined as not only authority to hear and determine a particular class of actions, but authority to hear and determine the particular questions the court assumes to decide." *Irwin v. Goodno*, 686 N.W.2d 878, 880 (Minn. App. 2004) (quotation omitted). It is well settled that "[t]he district court has subject matter jurisdiction over judicial commitments, including commitments of a person as a sexual psychopathic personality or as a sexually dangerous person." *Ivey*, 687 N.W.2d at 669; *see also* Minn. Stat. § 253D.07, subd. 2. The district court properly recognized its jurisdiction over the subject matter of Feeney's commitment.

Feeney's full faith and credit argument fails to establish that continued commitment proceedings are jurisdictionally defective or otherwise improper. "Full Faith and Credit

shall be given in each State to the public Acts, Records and judicial Proceedings of every other State." U.S. Const. art. IV, § 1; *see also* 28 U.S.C. § 1738. The Full Faith and Credit Clause generally obligates Minnesota courts to enforce judgments of a foreign jurisdiction. *See Matson v. Matson*, 333 N.W.2d 862, 866 (Minn. 1983). But the clause typically implicates jurisdictional issues when a Minnesota court and a foreign court address the same subject matter and the same persons. Feeney's cited authorities exemplify this point, but he overlooks the fact that the subject matter of Minnesota's commitment proceedings differ from the subject matter of Massachusetts's criminal proceedings.

In *Durfee v. Duke*, for example, the Supreme Court reasoned that jurisdictional determinations are entitled to full faith and credit "when the second court's inquiry discloses that those questions have been fully and fairly litigated and finally decided in the court which rendered the original judgment." 375 U.S. 106, 111, 84 S. Ct. 242, 245 (1963). The issue in *Durfee* was whether a federal court in Missouri was free to independently examine whether a Nebraska court had subject-matter jurisdiction over certain land. *Id.* at 110, 84 S. Ct. at 244. *Durfee* did not contemplate two courts asserting jurisdiction over *different* subject matter. Likewise *State ex rel. Glasier v. Glasier* dealt with the same parties and the same subject matter: child custody. 137 N.W.2d 549, 553 (Minn. 1965). The *Glasier* court held that a Minnesota district court could not make a custody determination contrary to a Washington court's custody determination when the Washington court had personal and subject-matter jurisdiction. *Id.* at 553. Personal jurisdiction is generally implicated as a *challenge* to the full faith and credit enforceability of a foreign court's judgment. *See, e.g.*, *Griffis v. Luban*, 646 N.W.2d 527, 531 (Minn. 2002). Feeney

confusingly argues that the Minnesota court must give effect to the Massachusetts sentence, but this at least presumes Minnesota's personal jurisdiction over him.

Feeney's comity argument fails for similar reasons. "Judicial comity is the respect a court of one state or jurisdiction shows to another state or jurisdiction in giving effect to the other's laws and judicial decisions." *Medtronic, Inc. v. Advanced Bionics Corp.*, 630 N.W.2d 438, 449 (Minn. App. 2001) (quotation omitted). But the comity doctrine typically applies where courts exercise *concurrent* jurisdiction over the same parties and controversies. *See Gavle v. Little Six, Inc.*, 555 N.W.2d 284, 290 (Minn. 1996). It does not operate to deprive a court of subject-matter or personal jurisdiction where jurisdiction is otherwise proper.

Feeney fails to offer caselaw or statutory authority applying the Full Faith and Credit Clause, its statutory counterpart 28 U.S.C. § 1738, or the comity doctrine consistent with his position on appeal. Feeney's arguments insist that Minnesota's exercise of jurisdiction interferes with Massachusetts's jurisdiction, *not* that Minnesota is without personal or subject-matter jurisdiction. Nothing precludes multiple states from asserting simultaneous personal jurisdiction over the same person, and concurrent claims of personal jurisdiction do not extinguish each another.

Feeney seems to have attempted to revise his position at oral argument, asserting that Massachusetts has "priority jurisdiction" over Minnesota; he conceded that "there is concurrent jurisdiction, yes, but the basis of the priority of the jurisdiction" is the ground for the challenge. Even if we entertain Feeney's modified argument under his concession of concurrent jurisdiction and analyze his assertion of "priority" jurisdiction, his arguments

still fail. In the criminal context, "[f]ull faith and credit must be given to a proper request by a demanding state for a demanded person's return." *State v. Phillips*, 587 N.W.2d 29, 33 (Minn. 1998). Feeney's full faith and credit and comity arguments assume that the Minnesota district court's ruling interferes with the Massachusetts court's sentence because it has demanded Feeney's return to Massachusetts.

Minnesota's Uniform Criminal Extradition Act requires demands for extradition by a demanding state to be made in writing and on the governor or other executive authority. *See* Minn. Stat. §§ 629.02–04 (2018). We observe that, consistent with the district court's conclusion, Feeney lacks standing to make objections or demands on behalf of Massachusetts. A party has standing if he suffered an injury-in-fact or is the beneficiary of a legislative enactment granting standing. *Enright v. Lehmann*, 735 N.W.2d 326, 329 (Minn. 2007). "An injury-in-fact is a concrete and particularized invasion of a legally protected interest." *Id.* (citation omitted). Feeney claims his alleged due-process violation as his injury-in-fact, but we have already rejected that alleged violation as speculative.

We also reject the argument because it rests on a mischaracterization of the record. Feeney characterizes a letter sent to him by the Massachusetts Department of Corrections as a demand that Feeney "be returned to Massachusetts to serve [his] From and After sentence upon completion of [his] Minnesota sentence." But this letter was the Massachusetts response *to Feeney's* request to serve his sentence in Minnesota, and in correspondence directed *to Feeney*, a Massachusetts correctional manager stated:

> Please be advised, after a thorough review of your request, it has been decided that you will be returned to

> Massachusetts to serve your From & After sentence upon completion of your Minnesota sentence.

Feeney's counsel's statements to the district court indicate that he understood the letter not to be an extradition request but a statement of Massachusetts's preparedness to extradite Feeney. Counsel said, "It is my knowledge from [the Massachusetts Correction Department's] representations to me over the phone, that they *are ready and willing* to extradite him, as is indicated by the letter . . . ." (Emphasis added.) The letter was not a demand by Massachusetts to Minnesota for Feeney's return. Continued commitment proceedings in Minnesota do not violate the Full Faith and Credit Clause or the comity doctrine.

In sum, the validity of the county's petition did not depend on the county attorney's assessment of good cause having been raised through a DOC referral under any timing guidelines in the DOC's policies. The timing of the county attorney's petition also did not violate Feeney's due-process rights. The district court properly concluded it had personal jurisdiction over Feeney and subject-matter jurisdiction over the commitment proceedings, and these proceedings are not precluded by any of Feeney's legal theories.

Affirmed; motions denied.