

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1993**

State of Minnesota,
Respondent,

vs.

Steven Michael Koons,
Appellant.

**Filed September 8, 2026
Affirmed
Worke, Judge**

Clay County District Court
File No. 14-CR-24-1836

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Brian J. Melton, Clay County Attorney, Megan Jean Kelly, Assistant County Attorney,
Moorhead, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Andrea Barts, Assistant Public
Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Worke, Presiding Judge; Cochran, Judge; and Bond,
Judge.

NONPRECEDENTIAL OPINION

WORKE, Judge

Appellant challenges his first-degree criminal-sexual-conduct conviction, arguing
that the district court violated his right to a speedy trial. We affirm.

FACTS

In May 2024, respondent State of Minnesota charged appellant Steven Michael Koons with first-degree criminal sexual conduct.

Beginning in June 2024, the district court held several hearings at which Koons requested continuances of the criminal-sexual-conduct matter, as well as other pending matters. All of Koons's criminal files were continued to October 31, 2024, at which time Koons demanded a speedy trial in the criminal-sexual-conduct case. In November 2024, Koons waived his right to a speedy trial, and the parties discussed a potential plea agreement. But the next month, Koons decided that he would not plead guilty and would proceed to trial. The district court stated that it was next available for a jury trial in late May 2025. On March 24, 2025, Koons again demanded a speedy trial.

On May 27, 2025, the district court stated that, although the matter was set for jury trial that day, the court and the prosecutor were unavailable because of another trial. The state indicated that, while the prosecutor was unavailable, the state was otherwise prepared to try the case that day. The district court determined that there was good cause to continue Koons's trial because "the [c]ourt is occupied with a trial that takes priority and that [trial] also involves one of the same prosecutors."

Koons's jury trial began on July 14, 2025. The jury found Koons guilty as charged. The district court sentenced Koons to 187 months in prison. This appeal followed.

DECISION

Koons argues that the district court violated his right to a speedy trial and, as a result, his first-degree criminal-sexual-conduct conviction must be reversed.

A criminal defendant has a constitutional right to a speedy trial. U.S. Const. amend. VI; Minn. Const. art. I, § 6. If a defendant was deprived of their constitutional right to a speedy trial, the case against them must be dismissed. *State v. Osorio*, 891 N.W.2d 620, 627 (Minn. 2017). This court reviews de novo whether a defendant has been deprived of their right to a speedy trial. *State v. Taylor*, 869 N.W.2d 1, 19 (Minn. 2015).

This court applies a four-factor test to determine whether a defendant's right to a speedy trial was violated. *State v. Windish*, 590 N.W.2d 311, 315 (Minn. 1999) (adopting test established in *Barker v. Wingo*, 407 U.S. 514, 530 (1972)). The four *Barker* factors are: “(1) the length of the delay; (2) the reason for the delay; (3) whether the defendant asserted his . . . right to a speedy trial; and (4) whether the delay prejudiced the defendant.” *Id.* “None of these factors is either a necessary or sufficient condition to the finding of a deprivation of the right of speedy trial. Rather, they are related factors and must be considered together with such other circumstances as may be relevant.” *Taylor*, 869 N.W.2d at 19 (quotation omitted). “In other words, [this court] must engage in a difficult and sensitive balancing process.” *Id.* (quotation omitted).

Length of Delay

The first *Barker* factor is the “triggering mechanism” to determine whether review of the alleged violation is required. *Windish*, 590 N.W.2d at 315 (quotation omitted). A trial must start within 60 days of a speedy-trial demand “unless the court finds good cause for a later trial date.” Minn. R. Crim. P. 11.09(b). “A delay that exceeds 60 days from the date of the demand raises a presumption that a violation has occurred, and we must apply the remaining factors of the test.” *Taylor*, 869 N.W.2d at 19.

Here, Koons demanded a speedy trial on March 24, 2025, and his jury trial began on July 14, 2025. This 112-day delay establishes the presumption of a violation, requiring further analysis.

Reason for Delay

In assessing the second *Barker* factor, this court must determine whether the government or the defendant is more to blame for the delay. *Id.* Once the party responsible for the delay is identified, this court considers the specific reasons for the delay. *Osorio*, 891 N.W.2d at 628. “A deliberate attempt to delay the trial in order to hamper the defense should be weighted heavily against the government.” *Id.* (quotation omitted). “When the overall delay in bringing a case to trial is the result of the defendant’s actions, there is no speedy trial violation.” *Taylor*, 869 N.W.2d at 20 (quotation omitted).

Koons argues that the reason for the delay is attributable to the state because it was not his fault that the prosecutor and district court were in another trial when his trial was scheduled to begin.

“[D]elays caused by overburdened court systems and administrative difficulties should weigh against the government” because the state “must assume responsibility for bringing cases to trial.” *In re Welfare of J.D.P.*, 410 N.W.2d 1, 3 (Minn. App. 1987). But when “calendar congestion is the reason for delay, it weighs less heavily against the state than would deliberate attempts to delay trial.” *State v. Friberg*, 435 N.W.2d 509, 513 (Minn. 1989).

Here, Koons’s trial was delayed because the prosecutor and the district court were in another trial. But the state was prepared to proceed with trial when it was scheduled to

begin. There is no allegation that the state deliberately delayed trial. This factor weighs only slightly in Koons's favor.

Assertion of the Right

The third *Barker* factor is whether the defendant asserted his right to a speedy trial. The parties do not dispute that Koons asserted his right. This factor weighs in Koons's favor.

Prejudice

The fourth *Barker* factor requires this court to determine whether the defendant suffered prejudice due to the delay. *Taylor*, 869 N.W.2d at 20. There are “three interests to consider in determining whether a defendant suffered prejudice: (1) preventing oppressive pretrial incarceration; (2) minimizing the anxiety and concern of the accused; and (3) preventing the possibility that the defense will be impaired.” *Id.* (quotation omitted). “[T]he third interest, preventing impairment of a defendant's defense, is the most serious.” *Id.* (quotation omitted).

Koons argues that he was incarcerated the entire time and felt anxiety because of this. Koons was incarcerated in May 2024, but he did not make his speedy-trial demand until March 2025, and his trial was held in July 2025. So, the majority of his incarceration was not due to the delay. Most importantly, Koons makes no argument that his defense was impaired due to the delay.

Balancing the four factors, Koons experienced a 112-day delay, and he asserted his right, so two factors weigh in favor of determining that there was a violation of his speedy-trial right. The trial was delayed because the prosecutor and district court were in another

jury trial. This third factor only slightly favors Koons. Finally, although Koons suffered pretrial incarceration, he failed to assert any impairment to his defense. Thus, Koons was not prejudiced because of the delay. Balancing the factors, we conclude that the district court did not violate Koons's right to a speedy trial.

Affirmed.