



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF KANDIYOHI

EIGHTH JUDICIAL DISTRICT

Case Type: Criminal

State of Minnesota,

Plaintiff,

v.

Nicholas Rekieta,

Defendant.

Case No.

34-CR-24-341

**AFFIDAVIT**

NOW COMES Joshua Moon, being duly sworn, and states as follows:

1. I am an adult and competent to testify to the matters set forth herein.
2. I am the sole member of Lolcow LLC, and my LLC operates the website the Kiwi Farms, currently available at <<https://kiwifarms.st>>. Kiwi Farms is an Internet forum that promotes commentary and discussion on noteworthy events.
3. Kiwi Farms has followed Nicholas Rekieta and his work since at least February 7, 2019, when a “thread” was created to facilitate discussion of him. Mr. Rekieta is himself an Internet journalist and “streamer,” who recently had over a half million subscribers to his online legal commentary. On many occasions, Mr. Rekieta has “streamed” about the Kiwi Farms and on-going events surrounding the Kiwi Farms.
4. Over the course of years, I have personally appeared on stream with Mr. Rekieta multiple times to discuss my website and other newsworthy events he was covering at that time.
5. Because of my deep and longstanding interest in Mr. Rekieta and the interest that is shared by Lolcow LLC and its customers, I desire to attend all proceedings in the above-

captioned criminal case in Kandiyohi County, and to comment upon such proceedings. I suspect that those who use Kiwi Farms would benefit from my commentary and would be interested in these proceedings and Mr. Rekieta's response to the current charges which he faces.

6. Mr. Rekieta previously commented upon trials and broadcast his commentary on various social media platforms. Notable trials upon which Mr. Rekieta commented include the Kyle Rittenhouse trial in Wisconsin and the *Johnny Depp v. Amber Heard* trial in Virginia. I am one of hundreds of thousands of people who have watched Mr. Rekieta comment on various trials, and now wish to observe Mr. Rekieta in this case as he conducts his defense.
7. Mr. Rekieta has always expressed a healthy skepticism of the government. In a livestream Mr. Rekieta shared on YouTube on June 19, 2024, Mr. Rekieta spoke to a live audience of 6,000 viewers for the first time since his arrest. In that livestream, he outlined parts of his defense, alleging broad government malfeasance and directly accusing a state social worker named Aliesha Sweep of lying under oath specifically to deprive him of his parental rights.
8. In the past, Mr. Rekieta has advocated that all trials be made public. With recent allegations of state and local government conspiracy against him, it would be an immense benefit to public trust for criminal proceedings against Mr. Rekieta be made public, to the greatest extent possible under the law.
9. It would be difficult for me to travel to Minnesota to view these proceedings, and even if I and others who are interested did make the trip to Minnesota, it is unlikely that all of the interested individuals would be physically able to fit into the courtroom. On information

and belief, it would be equally difficult or even more difficult for those who wish to view the trial and my commentary upon it to travel to Minnesota to view the proceedings personally.

10. To demonstrate the broad interest in the proceedings in this matter, I asked people who are interested in attending the trial to sign an online petition. This petition received over 1,000 signatures within hours and currently sits has 2,369 signatures. This is representing only the small intersection of interest between our audiences. The true size of interest in the charges against Mr. Rekieta is magnitudes larger, but it would be impossible for even 2,000 people to personally attend these proceedings due to the size of the courtroom and the inability of the Court to accommodate so many people without disrupting its operations.

11. I ask that the Court permit me to access these proceedings via audio and video means, and I believe that if my request is granted it will facilitate thousands of people in attending these proceedings without disrupting any of the court proceedings. My intention if this request is granted is to hire either a professional videographer to record the proceedings on my behalf, or alternatively to retain the services of a Minnesota attorney to record the proceedings in a manner that complies with any specific court order or instructions. In the event the Court is not willing to allow me to retain the services of a third party to record these proceedings, I would ask that I be permitted to do so personally.

12. Allowing virtual attendance at these proceedings is likely to be less intrusive to the conduct of a future hearing than the in-person attendance of hundreds or thousands of interested onlookers.

13. Allowing virtual attendance at these proceedings is likely to allow more efficient commentary on the legal issues involved in this criminal case, because commentary will be made outside of the courtroom and will not in any way disrupt the conduct of these proceedings.
14. Allowing virtual attendance at these proceedings is likely to promote judicial decorum because those who may have strong emotional feelings or outbursts as a result of any evidence will be able to express those feelings outside of the courtroom and without in any way affecting the orderly administration of justice.
15. I pledge that if I am permitted to video or audio record these proceedings personally or via the services of a third party, I will not in any way disrupt the Court proceedings and will not permit or facilitate disruptions by others. I will obey all court orders and be as unobtrusive as possible. I will use whatever knowledge I obtain for core First Amendment activity, including journalism and education of those who are interested in my work both within the United States and internationally.
16. Further I say nothing.

[INTENTIONALLY LEFT BLANK]

Dated: 6/19/2024

Signature:   
Joshua Moon

State of Minnesota

County of Wright

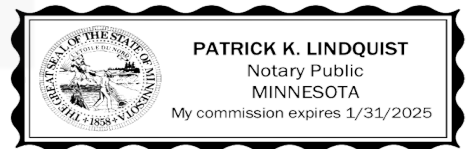
This instrument was acknowledged before me on 6/19/2024 (date) by

Joshua Moon



Notary Public  
My commission expires: 1/31/2025

Stamp:



The signer(s) appeared by means of communication technology

MINNESOTA  
JUDICIAL  
BRANCH