

## **PRESS RELEASE**

**October 3, 2014**

**Contact: Mark Metz (952) 361-1400**

### **Oberender Pleads Guilty and is Sentenced to 60 Months in Prison**

Carver County Attorney Mark Metz announced that Christian Oberender pled guilty before the Honorable Kevin Eide, Judge of District Court, at the Carver County Justice Center in Chaska, Minnesota, on October 2, 2014. More specifically, Oberender pled guilty to: 1) Felon in Possession of Firearm(s), and 2) Possession of Firearm(s), having been Previously Committed as Mentally Ill and Dangerous. Both of these charges stem from Oberender using a shotgun to murder his mother in 1995. In 1996, Oberender was adjudicated delinquent under extended juvenile jurisdiction for Murder in the Second Degree. Further, Oberender was civilly committed as a mentally ill and dangerous person in 1998. This prohibited Oberender from legally possessing firearms.

The plea ended a 20 month legal battle in which the Carver County Attorney appealed an adverse Carver County District Court ruling to the Minnesota Court of Appeals. The state's appeal proved successful, the Minnesota Court of Appeals agreeing that the charges stand because the state never actively misled Oberender; rather, Oberender is criminally culpable for his own actions because he repeatedly lied on various applications to possess or purchase firearms.

Judge Eide sentenced Oberender to the statutorily mandated sentence of sixty months in prison. By law, Oberender must serve 40 months of that sentence in prison and the remaining 20 months on supervised release. By law, Oberender was also given credit against this sentence for time he has been serving in the Carver County Jail. In exchange for these pleas, the U. S. Attorney has agreed to drop its federal charges. In addition, all thirteen guns seized from Oberender are forfeited and Oberender must pay a \$2000.00 fine plus applicable surcharges.

County Attorney Metz thanks the Carver County Sheriff's Office for its outstanding investigation of this case, and in particular, the professionalism and zealous diligence of Sheriff Jim Olson who began this investigation after a citizen tip. Sheriff Olson, having worked on the 1995 murder, recalled that Oberender was not entitled to possess guns, notwithstanding the fact the BCA did not have accurate records of the 1995 murder which allowed Oberender to pass various background checks. Because of his instincts

and experience, Sheriff Olson followed up with the County Attorney to learn that in fact Oberender should not have guns. As a result, Oberender was arrested and prosecuted.

County Attorney Metz also wants to thank the close, strategic cooperation of the U.S. Attorney's Office. The U.S. Attorney's Office filed its charges for "lying and buying" firearms when the state charges were initially dismissed by the District Court. This ensured that Oberender would remain in jail pending the appeal. Had the state not won at the Court of Appeals, the U.S. Attorney retained the prerogative to prosecute Oberender under federal law.

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