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Minn. Stat. § 480A.08, subd. 3 (2016).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A16-1140**

State of Minnesota,
Respondent,

vs.

Walter Jerry Prince, III,
Appellant.

**Filed April 10, 2017
Affirmed
Peterson, Judge**

Ramsey County District Court
File No. 62-VB-16-13034

Lori Swanson, Attorney General, St. Paul, Minnesota; and

Samuel J. Clark, St. Paul City Attorney, Steven E. Heng, Assistant City Attorney, St. Paul,
Minnesota (for respondent)

Walter J. Prince, St. Paul, Minnesota (pro se appellant)

Considered and decided by Peterson, Presiding Judge; Johnson, Judge; and
Bjorkman, Judge.

UNPUBLISHED OPINION

PETERSON, Judge

Appellant challenges the district court's imposition of petty-misdemeanor fines for
violations of Minn. Stat. § 168.09, subd. 1 (2014) (requiring that trailers be registered and

display number plates) and Minn. Stat. § 169.79, subd. 7 (2014) (requiring that license plates be unobstructed). We affirm.

FACTS

A parking-enforcement officer cited appellant Walter Jerry Prince, III, for having an obscured license plate and an unregistered trailer. Prince denied the violations, and the case was tried to the court. The officer testified at trial that the license plate on the trailer displayed the numbers vertically, which made the license plate illegible, and that the registration tabs were expired.

Prince testified that he had applied for a permanent registration sticker for the trailer, but he did not receive the sticker, which he claimed was supposed to be mailed to him, so he put the original license plate on the trailer. The license plate had been issued for a 1973 Dodge truck that Prince owned. The record contains an application to register a trailer that was constructed using parts from the 1973 Dodge truck, but the application is not signed or dated.

The parking-enforcement officer testified that trailers are required to be registered and that, instead of a license plate, a permanent registration sticker with a license-plate number on it may be affixed to the front of the trailer. The officer checked Prince's trailer for a permanent sticker, but the trailer did not have one.

The district court found that the state proved both violations and imposed fines against Prince for each violation. This appeal followed.

DECISION

The vehicle-registration statute states:

No trailer or motor vehicle . . . may be used or operated upon the public streets or highways of the state in any calendar year until it is registered as provided in this section, the motor vehicle tax and fees as provided in this chapter are paid, and the number plates issued for the trailer or motor vehicle are displayed on it.

Minn. Stat. § 168.09, subd. 1. The record shows that there was not a current number plate displayed on Prince's trailer.

Prince argues that “a new permanent tab sticker replaced license plates on towing trailers” and that “license plates on trailers are obsolete.” Prince is correct that it is not necessary to display a license plate on some trailers. The license-plate statute states: “If the vehicle is a trailer with 3,000 pounds or less [gross vehicle weight] with lifetime registration, the numbered plate *or sticker* must be adhered to the side of the trailer frame tongue near the hitch.” Minn. Stat. § 169.79, subd. 3a (2014) (emphasis added).

The record, however, shows that Prince did not have a permanent sticker displayed on his trailer. Prince testified that he completed the application process for a permanent sticker but did not receive the sticker in the mail. The only evidence supporting this claim is an application that is not signed or dated. There is no evidence of payment of registration fees or taxes. *See* Minn. Stat. § 168.09, subds. 1, 7 (2014) (governing payment of taxes and fees for new registrations and reregistrations).

To obtain reversal, Prince must show both that the district court erred and that the error was prejudicial. *See Kallio v. Ford Motor Co.*, 407 N.W.2d 92, 98 (Minn. 1987); *see*

also State v. Palmer, 803 N.W.2d 727, 733 (Minn. 2011) (setting forth standard for reviewing a challenge to the sufficiency of the evidence). Based on the record evidence and Prince’s assertions, we cannot conclude that the district court erred in finding that Prince committed the violations for which he was cited.

Prince also asserts that at trial the district court indicated that it would reduce the fine for the first violation and dismiss the second but did not do so because the prosecutor objected. At the beginning of trial, the prosecutor stated that if Prince admitted to one violation, he would recommend a \$100 fine and dismissal of the citation for the second violation, but Prince declined the offer. When the parties rested, the district court initially indicated that, although the license plate on the trailer displayed the numbers vertically, which made it difficult to read, the state had not proved the obstructed-license-plate violation because the numbers could be seen. After the prosecutor explained that the license-plate statute requires that “[a]ll plates must be (1) securely fastened so as to prevent them from swinging, (2) displayed horizontally with the identifying numbers and letters facing outward from the vehicle, and (3) mounted in the upright position,” Minn. Stat. § 169.79, subd 7, the district court found that the state had proved the obstructed-license-plate violation.

Affirmed.