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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A20-0770**

Markhel D'John Harris-Franklin, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed March 22, 2021
Affirmed
Larkin, Judge**

Ramsey County District Court
File No. 62-CR-16-7308

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

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

John J. Choi, Ramsey County Attorney, Jeffrey A. Wald, Assistant County Attorney, St. Paul, Minnesota (for respondent)

Considered and decided by Larkin, Presiding Judge; Cochran, Judge; and Gaitas, Judge.

NONPRECEDENTIAL OPINION

LARKIN, Judge

Appellant challenges the denial of his petition for postconviction relief, arguing that the district court should have suspended the underlying criminal proceedings and ordered a competency evaluation, sua sponte, and that his waiver of counsel and guilty plea were invalid. We affirm.

FACTS

This appeal stems from proceedings related to respondent State of Minnesota's October 2016 charge of simple robbery against appellant Markhel D'John Harris-Franklin.

The Omnibus Hearing

On November 9, 2016, the district court held an omnibus hearing on the charge. Harris-Franklin was represented by a public defender at that hearing, but he requested to discharge that attorney and represent himself. When the presiding judge asked Harris-Franklin why he wanted to represent himself, he responded, "Because [the public defender] had these people shackling me up and threaten me while I was down in the unit." The judge informed Harris-Franklin that the deputies, and not the public defender, were responsible for those actions and again asked him why he wanted to represent himself. Harris-Franklin said, "Because he's not official. Period." Later, when the district court asked Harris-Franklin what he meant by "official," he explained, "That means he do all kind of other stuff that I just told you and you not believing, obviously, so there's no point in getting to it."

The judge questioned Harris-Franklin, and he confirmed that he understood his right to an attorney, the charges against him, and the various procedures he would have to follow if he represented himself. The judge discharged the public defender and indicated that it would appoint advisory counsel. The judge then began to review a petition to proceed pro se with Harris-Franklin.

While discussing that petition, Harris-Franklin initially indicated that he had never been treated for a mental-health or nervous condition. But later, he stated that he had been hospitalized for mental-health conditions. The judge inquired about Harris-Franklin's mental health.

THE COURT: I do want to clarify something. You said you do not have a mental health diagnosis.

HARRIS-FRANKLIN: I do. I got a lot of them.

THE COURT: Okay.

HARRIS-FRANKLIN: I've been in the hospital for them.

THE COURT: Do they get in your way of understanding what you're doing today?

HARRIS-FRANKLIN: Yeah.

THE COURT: They get in your way? So you don't know what you're doing?

HARRIS-FRANKLIN: No.

THE COURT: So you don't want to represent yourself?

HARRIS-FRANKLIN: I don't want him representing me.

THE COURT: Okay. I'm talking to you about your request to represent yourself. Do you want to represent yourself?

HARRIS-FRANKLIN: Mm-hmm.

Based on that exchange, the judge decided to "change gears" and to give Harris-Franklin the petition to proceed pro se, so he could read it on his own. The judge told Harris-Franklin that if he clearly wanted to represent himself after he had read the petition, then

the court could recall the case. Alternatively, Harris-Franklin could submit the petition at the scheduled pretrial hearing.

The Pretrial Hearing

On December 5, 2016, the district court held a pretrial hearing, before a different district court judge. Harris-Franklin submitted his petition to proceed pro se at the beginning of that hearing. In the petition, Harris-Franklin indicated that he had been a patient in a mental hospital, had been treated by a psychiatrist or other person for a nervous or mental condition, had been ill recently, and had been taking pills or medicine recently.

The pretrial judge inquired about Harris-Franklin's mental health:

THE COURT: Okay. So you have been a patient in a mental hospital?

HARRIS-FRANKLIN: Yes.

THE COURT: Okay. And where was that, sir?

HARRIS-FRANKLIN: Years ago, two or three years ago.

THE COURT: What were you there for?

HARRIS-FRANKLIN: Commit suicide attempted.

THE COURT: And you have been treated by a psychiatrist for the same thing?

HARRIS-FRANKLIN: (Nods head.)

THE COURT: Is that a "yes"?

HARRIS-FRANKLIN: Yes.

THE COURT: Have you been ill recently?

HARRIS-FRANKLIN: No.

THE COURT: On any medications?

HARRIS-FRANKLIN: No.

THE COURT: Okay. Are you supposed to be on any medications?

HARRIS-FRANKLIN: No.

THE COURT: All right. So you understand what's going on, right?

HARRIS-FRANKLIN: Yes.

Harris-Franklin's responses to the district court's questions about being ill recently and taking medications contradicted his answers in the petition.

The pretrial judge further questioned Harris-Franklin, who stated that he understood the various responsibilities he would have if he were to represent himself, as well as the maximum sentence for the charged offense. The district court accepted the petition to proceed pro se, finding that Harris-Franklin had knowingly, intelligently, and voluntarily waived his right to counsel.

The Plea Hearing

On January 4, 2017, the parties appeared for trial before the same judge who had presided over the pretrial hearing. The prosecutor informed the district court that the parties had reached a plea agreement, in which Harris-Franklin would plead guilty to the amended charge of theft from person, in exchange for a downward dispositional departure, a 300-day cap on jail time, and a stayed top-of-the-box sentence. Additionally, the prosecutor stated that Harris-Franklin had told him that he has an insomnia disorder and that he "suffers from a bipolar or manic-depressive disorder for which he claims to have not been receiving medication in the jail." Nevertheless, according to the prosecutor, Harris-Franklin stated that he "feels competent and able to enter a plea."

The presiding judge questioned Harris-Franklin about the plea agreement and his rights. Harris-Franklin said that he was familiar with the sentencing guidelines and criminal-history system, knew that his criminal-history score was four, understood the terms of the plea agreement, and had no questions about the agreement. The judge then discussed Harris-Franklin's mental-health issues:

THE COURT: Now, there is a portion of [the plea petition] that mentions having been either treated by a psychiatrist or a psychologist or being under some medications. You say you're under some medications now?

HARRIS-FRANKLIN: I'm not receiving them but, yeah, I'm supposed to be.

THE COURT: Okay. You seem, as I'm speaking to you now, you seem to understand everything that's going on now.

HARRIS-FRANKLIN: Yes.

THE COURT: All right. Do you feel like you are clear headed?

HARRIS-FRANKLIN: Yes.

THE COURT: Anything obstructing your ability to kind of reason or understand what's going on here?

HARRIS-FRANKLIN: No.

THE COURT: Okay. Anything in that document you did not understand?

HARRIS-FRANKLIN: Nope.

Harris-Franklin stated that he understood the various rights he was giving up by pleading guilty, submitted the plea petition, and entered a factual basis for his guilty plea. The district court accepted the guilty plea, ordered a presentence investigation report (PSI), conditionally released Harris-Franklin, and scheduled a sentencing hearing.

The ensuing PSI extensively discussed Harris-Franklin's mental health. It reported that Harris-Franklin dropped out of school in the 11th grade and functions at an age-nine intellectual level. He was civilly committed as mentally ill and chemically dependent from December 2013 to June 2015. At the time of the PSI, he was receiving case management services from Mental Health Resources. He had not taken medication since May 2016 and "reported feeling symptomatic." He had received Social Security Disability in the past, though he had not received any since September 2016. The PSI described a suicide attempt by Harris-Franklin while he was in custody on the underlying charge, in which he "was

naked and had his jumpsuit tied in a knot around his neck.” The suicide attempt occurred on November 9, 2016, the same day that Harris-Franklin appeared for the omnibus hearing.

The Sentencing Hearing

On March 30, 2017, the district court held a sentencing hearing before a third district court judge. Harris-Franklin was also scheduled to be sentenced for a separate offense of fourth-degree assault, and a public defender represented him in those proceedings.¹ The public defender agreed to represent Harris-Franklin on both of the pending charges at the sentencing hearing. The district court judge who presided over the sentencing hearing had also presided over the proceedings in Harris-Franklin’s fourth-degree assault case.

During the sentencing hearing, the public defender mentioned Harris-Franklin’s mental-health issues, but he did so to argue that a downward dispositional departure was appropriate. The district court sentenced Harris-Franklin to 28 months in prison, granted a downward dispositional departure consistent with the plea agreement, and placed him on probation for seven years. The court eventually revoked Harris-Franklin’s probation and executed the sentence based on probation violations.

The Postconviction Proceeding

In March 2019, nearly two years after sentencing, Harris-Franklin petitioned for postconviction relief. He asserted that his conviction must be reversed because his waiver of counsel and guilty plea were invalid. He also asserted that the district court erred by

¹ The charge for fourth-degree assault arose when Harris-Franklin spat on a corrections officer who was restraining him after he attempted to commit suicide. Harris-Franklin pleaded guilty to that offense.

failing to suspend the proceedings and order a competency evaluation, sua sponte. Harris-Franklin attached an affidavit to his petition in which he described his mental-health problems and declared that he was “not thinking clearly” when he decided to represent himself and to plead guilty.

In November 2019, the postconviction court held an evidentiary hearing on Harris-Franklin’s petition. The presiding judge was the same judge who presided over the sentencing hearing and the proceedings in Harris-Franklin’s fourth-degree assault case. Harris-Franklin did not testify, call witnesses, or present any evidence at that hearing. Instead, he relied on the evidence that he had submitted with his petition. The postconviction court denied Harris-Franklin’s petition, concluding that his waiver of counsel and guilty plea were valid, and that the district court did not err by failing to suspend the proceedings and order a competency evaluation sua sponte.

Harris-Franklin appeals.

DECISION

Minnesota’s postconviction statute enables “a person convicted of a crime” to seek postconviction relief by filing a petition claiming that the conviction “violated the person’s rights under the Constitution or laws of the United States or of the state.” Minn. Stat. § 590.01, subd. 1(1) (2020). “The person seeking postconviction relief bears the burden of establishing by a preponderance of the evidence that his claims merit relief.” *Crow v. State*, 923 N.W.2d 2, 10 (Minn. 2019). We review the denial of a postconviction petition for an abuse of discretion. *Pearson v. State*, 891 N.W.2d 590, 596 (Minn. 2017). In doing so, we review legal issues de novo and factual findings for clear error. *Id.*

I.

Harris-Franklin contends that there was reason to doubt his competency during the underlying criminal proceedings and that the district court therefore should have suspended the proceedings and ordered a competency evaluation. “A defendant has a due process right not to be tried or convicted of a criminal charge if he or she is legally incompetent.” *Bonga v. State*, 797 N.W.2d 712, 718 (Minn. 2011). An incompetent defendant must not plead, be tried, or be sentenced. Minn. R. Crim. P. 20.01, subd. 2. A defendant is incompetent when, “due to mental illness or cognitive impairment,” he lacks the ability either to “rationally consult with counsel” or to “understand the proceedings or participate in the defense.” *Id.* If the district court doubts the defendant’s competency at any time, it must raise the issue on its own. *Id.*, subd. 3. Specifically, if the district court determines that “reason exists to doubt the defendant’s competency,” then the court must suspend the criminal proceedings and “order an examination of the defendant’s mental condition.” *Id.*

Relevant factors for determining whether further inquiry into competency is necessary include “a defendant’s ‘irrational behavior, his demeanor at trial, and any prior medical opinion on competence to stand trial.’” *Bonga*, 797 N.W.2d at 719 (quoting *Drope v. Missouri*, 420 U.S. 162, 180, 95 S. Ct. 896, 908 (1975)). ““There are, of course, no fixed or immutable signs which invariably indicate the need for further inquiry to determine fitness to proceed; the question is often a difficult one in which a wide range of manifestations and subtle nuances are implicated.”” *Id.* (quoting *Drope*, 420 U.S. at 180, 95 S. Ct. at 908).

Whether the court “observed procedures adequate to protect a defendant’s right not to be tried or convicted while incompetent” is a narrower question than whether the defendant is incompetent; the issue is only whether the district court, “in fulfilling its protective duty, should have conducted further inquiry.” *Id.* at 718 (quotation omitted). When the evidence relevant to the defendant’s mental condition is undisputed, we “review the record to determine whether the district court gave proper weight to the information suggesting incompetence” when it concluded that there was not sufficient doubt of the defendant’s competency to require further inquiry. *Id.* at 720 (quotation omitted). For the following reasons, we conclude that the district court here gave proper weight to the information suggesting incompetence.

Clearly, circumstances arose during the proceedings that could have caused one to question Harris-Franklin’s competency. At the omnibus hearing, Harris-Franklin told the district court that he had mental-health diagnoses and had been hospitalized for them. He also told the district court that he wanted to discharge the public defender because the attorney “had these people shackling [him] up and threaten [him] while [he] was down in the unit.” Later, in response to the district court’s questions, he suggested that his mental-health diagnoses prevented him from understanding what he was doing. In his petition to proceed pro se, Harris-Franklin indicated that he had been a patient in a mental hospital, had been treated by a psychiatrist or other person for a nervous or mental condition, had been ill recently, and had been taking pills or medicine recently.

At the plea hearing, the prosecutor told the district court that Harris-Franklin had said that he has an insomnia disorder and “suffers from a bipolar or manic-depressive

disorder for which he claims to have not been receiving medication in the jail.” And the PSI identified several other mental-health concerns, including that Harris-Franklin was civilly committed from 2013 to 2015, had received Social Security Disability in the past, was receiving case management services from Mental Health Resources, functions at an age-nine intellectual level, and attempted to commit suicide on November 9, 2016. That suicide attempt occurred on the same day as the omnibus hearing in the underlying case.²

The supreme court has stated that a defendant’s suicide attempt during a criminal proceeding is evidence of irrational behavior. *Id.* But the supreme court has also stated that if the district court, prosecutor, and defense counsel have the opportunity to observe the defendant in the context of the criminal proceeding after the suicide attempt, they can gauge whether the defendant meets the competency standard. *Id.* Those are the circumstances here.

Moreover, a defendant is not incompetent simply because he has a mental illness or cognitive impairment. Instead, the defendant must lack the ability either to “rationally consult with counsel” or to “understand the proceedings or participate in the defense” as a result of mental illness or cognitive impairment. Minn. R. Crim. P. 20.01, subd. 2. Several circumstances indicated that Harris-Franklin could rationally consult with counsel, understand the proceedings, and participate in the defense. For example, Harris-Franklin asked the district court to explain the meaning of probable cause, demonstrating that he could ask appropriate questions if he did not understand certain legal concepts.

² It is not clear from the record whether the suicide attempt occurred before or after Harris-Franklin appeared in court for the omnibus hearing.

While representing himself, Harris-Franklin negotiated a plea agreement in which he would plead guilty to the amended, lesser charge of theft from person and would receive a downward dispositional departure. Harris-Franklin discussed the effect of that plea agreement with the district court at the plea hearing. He said that he understood the sentencing guidelines, the meaning of a “top-of-the-box” sentence, his criminal-history score, and how his sentence under the plea agreement differed from the sentence he would otherwise receive if he were found guilty. Harris-Franklin’s ability to negotiate a plea agreement with the prosecutor and to converse with the district court about the terms of that agreement strongly suggested that he could rationally consult with an attorney and that he understood the proceedings and could participate in his defense, despite his mental illness. Indeed, during the plea hearing, the district court observed that Harris-Franklin seemed “to understand everything that’s going on now,” and Harris-Franklin responded, “Yes.” Harris-Franklin also said that he felt “clear headed” and that nothing was obstructing his ability to understand the proceedings.

We note that three different district court judges presided over the proceedings at various points during the case and had the opportunity to observe Harris-Franklin’s demeanor. And Harris-Franklin was represented by a public defender at the sentencing hearing, who was familiar with his mental-health conditions. As a result, the judges and the public defender could gauge from Harris-Franklin’s demeanor whether he was able to rationally consult with his attorney, capable of understanding the proceedings, and capable of participating in his defense. Although the public defender mentioned some of Harris-Franklin’s mental-health concerns to the court, he did so as support for a downward

dispositional departure, and not to suggest that Harris-Franklin was legally incompetent. Indeed, the public defender did not voice concern that Harris-Franklin was incompetent at any point during the sentencing hearing.³

The fact that none of the three judges who presided over the hearings in the underlying case, nor the public defender who represented Harris-Franklin at the sentencing hearing and in another pending criminal case, expressed doubt regarding Harris-Franklin's competency strongly suggests that he acted rationally overall and understood the proceedings.

In sum, given the legal standard for competency and all the circumstances of this case, we cannot say that the district court improperly weighed the information suggesting incompetence. The district court therefore did not err by failing to suspend the criminal proceedings, sua sponte, for the purpose of obtaining a formal competency evaluation.

II.

Harris-Franklin also contends that his waiver of counsel and guilty plea were invalid. He argues that the district court did not adequately inquire into whether his mental-health issues prevented him from entering a knowing and intelligent waiver of counsel and a valid guilty plea.

³ Harris-Franklin contends that it does not matter whether the public defender raised the issue of competency because the district court must independently determine whether there is reason to doubt competency, even if neither party raises that issue. He is correct regarding that point, but the defendant's demeanor in court is an important factor in determining whether the district court properly weighed information suggesting incompetence.

Waiver of Counsel

The United States and Minnesota Constitutions grant criminal defendants the right to the assistance of counsel. U.S. Const. amend. VI; Minn. Const. art. I, § 6. A defendant's waiver of the right to counsel must be "knowing, intelligent, and voluntary." *State v. Jones*, 772 N.W.2d 496, 504 (Minn. 2009). If the relevant facts are undisputed, we review de novo whether a waiver of counsel was knowing and intelligent. *State v. Rhoads*, 813 N.W.2d 880, 885 (Minn. 2012).

Minn. R. Crim. P. 5.04, subd. 1(4), governs the procedure that district courts must follow when a defendant charged with a felony wishes to waive his right to counsel. The defendant must "enter on the record a voluntary and intelligent written waiver of the right to counsel." Minn. R. Crim. P. 5.04, subd. 1(4). Before accepting the waiver, the district court must advise the defendant of the "nature of the charges," "all offenses included within the charges," the "range of allowable punishments," the fact that "there may be defenses" and that "mitigating circumstances may exist," and "all other facts essential to a broad understanding of the consequences of the waiver of the right to counsel, including the advantages and disadvantages of the decision to waive counsel." *Id.*, subd. 1(4)(a)-(f).

Harris-Franklin argues that the district court was aware of his mental-health issues and did not sufficiently inquire into whether those issues prevented him from "fully evaluating the risks of self-representation."

At the omnibus hearing, the district court asked Harris-Franklin if he understood the charge against him and that a person with prior convictions could face a longer prison sentence. The district court also asked whether he understood the various procedures he

would have to comply with if he were to represent himself, such as picking a jury, responding to the state's legal arguments, subpoenaing witnesses to testify in his defense, deciding whether to testify himself, following the rules of evidence, and proposing jury instructions.

The district court reviewed some of those procedures at the pretrial hearing and informed Harris-Franklin that he would have to prepare for trial, adhere to the same rules as an attorney, and be bound by the decisions he would make. The district court also informed Harris-Franklin of the charge and asked whether he knew the maximum sentence for that charge. Harris-Franklin answered, "Yes." In sum, the district court followed the requirements of Minn. R. Crim. P. 5.04, subd. 1(4), and ensured that Harris-Franklin understood the charges against him and the disadvantages of self-representation.

At the pretrial hearing, the district court also inquired about Harris-Franklin's mental-health conditions in detail, and the court confirmed that he understood what was happening during the proceedings. By doing so, the district court ensured that Harris-Franklin's waiver of counsel was knowing and intelligent despite his mental-health issues.

Harris-Franklin argues that the district court should have inquired further regarding his waiver of counsel after the court received the PSI. But Harris-Franklin was represented by a public defender at the sentencing hearing, and the public defender did not raise any concerns about his competency or his previous ability to knowingly and intelligently waive his right to counsel. As discussed above, the fact that the public defender did not raise the competency issue suggests that he did not have any concerns about Harris-Franklin's

competency. That fact also indicates that the district court reasonably did not question whether Harris-Franklin's earlier waiver of counsel was knowing and intelligent.

In sum, on this record we are satisfied that Harris-Franklin's waiver of counsel was knowing and intelligent and therefore valid.

Guilty Plea

At any time, the court must allow a defendant to withdraw a guilty plea when withdrawal "is necessary to correct a manifest injustice." Minn. R. Crim. P. 15.05, subd. 1. A manifest injustice exists when a guilty plea is not valid. *State v. Raleigh*, 778 N.W.2d 90, 94 (Minn. 2010). "To be constitutionally valid, a guilty plea must be accurate, voluntary, and intelligent." *Id.* The defendant has the burden to show that his plea was invalid. *Id.* The validity of a guilty plea is a question of law that we review de novo. *Id.*

Minn. R. Crim. P. 15.01, subd. 1, governs the procedures that the district court must follow in felony cases before accepting a guilty plea from a defendant. One requirement is that the district court must determine whether the defendant "has a mental disability" or "is undergoing medical or psychiatric treatment." Minn. R. Crim. P. 15.01, subd. 1(5)(b)-(c). It also must ensure that the defendant understands the rights he is giving up by pleading guilty. *Id.*, subd. 1(6).

Harris-Franklin argues that "the district court lacked sufficient facts to evaluate whether [his] mental disability was severe enough to prevent an intelligent waiver of trial rights and guilty plea." The intelligence requirement ensures that the defendant understands the charges, the rights he is waiving by pleading guilty, and the consequences of his plea. *State v. Trott*, 338 N.W.2d 248, 251 (Minn. 1983).

Here, in response to the district court's questions, Harris-Franklin indicated that he understood the charge against him, the potential sentence for the charged offense based on his criminal-history score and the sentencing guidelines, and the effect of the plea agreement. The district court questioned Harris-Franklin to ensure that he understood the rights that he was giving up by pleading guilty, including the right to challenge the state's evidence and the right to a jury trial. The district court questioned Harris-Franklin and established that if the case proceeded to trial, he would be presumed innocent, the state would have to prove his guilt beyond a reasonable doubt, the jury would have to find him guilty unanimously, and he would have the opportunity to cross-examine the state's witnesses, challenge the state's evidence, present his own witnesses, and testify in his own defense. Harris-Franklin stated that he understood that he was giving up all of those rights by pleading guilty.

The district court also inquired about Harris-Franklin's mental-health conditions in detail at the plea hearing, as described in section I of this opinion. By doing so, the district court ensured that Harris-Franklin's waiver of trial rights and guilty plea was intelligent despite his mental-health issues.

Harris-Franklin argues that the district court should have further inquired regarding his pro se guilty plea after the PSI provided detailed information about his mental-health issues and cognitive limitations. But once again, Harris-Franklin was represented by a public defender at the sentencing hearing, and the public defender did not raise any concerns about his competency or the validity of his previous guilty plea. As discussed above, the fact that the public defender did not raise a competency issue suggests that he

did not have any concerns about Harris-Franklin's competency. That fact also indicates that the district court reasonably did not question whether Harris-Franklin's earlier guilty plea was valid.

In his affidavit attached to his postconviction petition, Harris-Franklin said, "I was not thinking clearly when I decided to plead guilty. I did not understand the consequences of my guilty plea. I did not understand the rights I was giving up by pleading guilty." The postconviction court observed that Harris-Franklin's affidavit contradicted his statements at the plea hearing. Indeed, during the plea hearing, Harris-Franklin told the district court that he understood all the rights he was giving up by pleading guilty, that he was clear headed, and that he understood everything that was happening.

A postconviction court does not err by rejecting a defendant's claim that his plea was unintelligent if his argument that he did not understand the charges is refuted by his own testimony in the record. *Williams v. State*, 760 N.W.2d 8, 15 (Minn. App. 2009), *review denied* (Minn. Apr. 21, 2009). Here, Harris-Franklin's affidavit contradicts his statements at the plea hearing. Moreover, the affidavit does not explain his assertion that he was not thinking clearly at the time of his guilty plea. On this record, Harris-Franklin fails to establish that his trial waiver and guilty plea were unintelligent and therefore invalid.

Conclusion

We are sympathetic to Harris-Franklin's mental-health issues and cognitive limitations. But those circumstances do not necessarily indicate that he was likely incompetent under the relevant standard. The record shows that each of the judges who

interacted with Harris-Franklin took appropriate steps to ensure that he understood the proceedings and that he made informed decisions. Indeed, the three experienced district court judges handled the situation exceptionally well. In addition, the postconviction judge had presided over the proceedings in Harris-Franklin's separate fourth-degree assault case. Thus, the postconviction judge had the benefit of several first-hand interactions with, and observations of, Harris-Franklin during the underlying proceedings. Moreover, the postconviction court provided Harris-Franklin an opportunity to provide additional evidence in support of his claims at a postconviction hearing. On this record, we discern no basis to conclude that the postconviction court abused its discretion in denying relief.

Affirmed.