STATE OF MINNESOTA
IN COURT OF APPEALS
A22-0533

In re the Custody of K.S. A. and G. M. A.,
Catherine Easter, petitioner,
Respondent,

vs.

Justin David Alyea,
Appellant.

Filed December 5, 2022
Affirmed; motion denied
Bratvold, Judge

Dakota County District Court
File No. 19HA-FA-21-248

Gregory P. Seamon, Oakdale, Minnesota (for respondent)

Justin David Alyea, Kenyon, Minnesota (pro se appellant)

Considered and decided by Bratvold, Presiding Judge; Cochran, Judge; and Hooten, Judge.[*]

SYLLABUS

If a foreign court awards to a person other than a child's parent what, in Minnesota, would be legal or physical custody of the child, and if that foreign court's determination otherwise satisfies Minnesota's version of the Uniform Child Custody Jurisdiction and Enforcement Act (MUCCJEA), Minn. Stat. §§ 518D.101-.317 (2020), it is proper for a Minnesota court to recognize and enforce that foreign court's child-custody determination

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[*] Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

even if the person awarded those rights did not also petition a Minnesota court for those rights under Minn. Stat. §§ 257C.01-.08 (2020).

OPINION

BRATVOLD, Judge

This appeal arises from a Minnesota district court order denying the motion of appellant Justin David Alyea (father) to dismiss respondent Catherine Easter's petition for guardianship/custody of two minor children. The district court first determined that prior orders issued by a Wisconsin court appointed Easter, the children's maternal grandmother, as the children's guardian and granted Easter significant powers over the children. The district court also determined that the Wisconsin guardianship orders are child-custody determinations under the MUCCJEA, Minn. Stat. §§ 518D.101-.317, and that Minnesota courts recognize and enforce foreign custody orders, as provided in the MUCCJEA. Finally, the district court set an evidentiary hearing on father's motion to modify custody and for parenting time.

Father argues the district court erred by (1) determining that the Wisconsin orders amounted to an award of child custody under Minnesota law without Easter first having petitioned in Minnesota as an interested third party or de facto custodian under Minn. Stat. § 257C.03; (2) denying father's motion to modify custody of the children; (3) denying father's motion for temporary parenting time; and (4) "effectively" terminating father's parental rights. Because the district court properly recognized and enforced the Wisconsin orders as child-custody determinations under Minnesota law and the MUCCJEA, set a

hearing on father's motions to modify custody and for parenting time, and did not terminate father's parental rights, we affirm. We also deny father's motion to supplement the record.

FACTS

Father and Ashley Alyea (mother) married in February 2012, have two children, and lived in Wisconsin after they married. On October 2, 2013, a Wisconsin circuit court appointed Easter as the children's legal guardian in two separate orders with identical terms for each child (Wisconsin guardianship orders). The Wisconsin guardianship orders stated that clear and convincing evidence established that "neither parent is able to provide for the safety of [the children]." The Wisconsin guardianship orders provided, among other things, that Easter has "the power to have care, custody, and control" of the children.[1] The Wisconsin guardianship orders also noted that Easter then lived in Lakeville, Minnesota. Finally, the Wisconsin guardianship orders stated they were "final" for the purposes of appeal.

Easter resided with the children in Lakeville. Father was in and out of prison from 2013 to 2020, and mother struggled with chemical dependency. Father and mother legally separated in January 2016 but have not divorced. After father was released from prison in 2020, father and mother resided in Minnesota. Easter agreed to a parenting-time schedule that allowed father to see the children every Friday after school until Monday morning and

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[1] The Wisconsin guardianship orders also expressly granted Easter the following powers, among others, as to the children: informed consent to voluntary and involuntary medication, medical examination, and medical treatment; decisions on mobility and travel; decisions on providers of medical, social, and other living services; and decisions about educational and vocational placement.

every Tuesday after school until Wednesday morning. In May 2021, Easter agreed father could take the children to a memorial service, but father refused to return the children as promised on May 9.

Easter petitioned the district court in Dakota County for emergency relief, alleging that she is the guardian with sole legal and sole physical custody of the children based on the Wisconsin guardianship orders. Easter's petition sought an order directing father to return the children to Easter's care immediately. On May 14, 2021, the district court assumed temporary jurisdiction over the children under the MUCCJEA and ordered father to return the children to the "sole legal and [sole] physical custody of their legal Guardian," Easter (May 2021 ex parte order).[2]

After a hearing on father's opposition to the May 2021 ex parte order, the district court issued an order stating that the custody provisions in the ex parte order remained "in full effect unless or until modified" (July 2021 order). The district court first determined that the Wisconsin guardianship orders appointed Easter as the children's legal guardian in 2013. The district court also determined that Minnesota had jurisdiction over custody of the children under the MUCCJEA, in part because all interested parties are in Minnesota, and also because Wisconsin "has declined jurisdiction and recognizes that Minnesota is the appropriate forum for this case." *See* Minn. Stat. § 518D.201(a) (listing the jurisdictional

[2] In Wisconsin, Father moved to terminate Easter's guardianship. On June 14, 2021, the Wisconsin circuit court denied father's motion and "provisionally granted" transfer of the guardianship proceedings to Minnesota. In February 2022, the Wisconsin circuit court issued a final order confirming the transfer of the guardianship proceedings to Dakota County.

bases for child-custody determinations). The district court concluded there was "no basis on which to change the custody of the children" and declared that Easter "has sole legal and [sole] physical custody of the children and is their rightful guardian."

The district court authorized appointment of a guardian ad litem (GAL) and explained it had "reason to believe" that the children had been abused. In doing so, the district court appeared to credit father's testimony at the hearing that Easter's brother-in-law threatened the children with a lighter.[3] In a separate order, the district court appointed a GAL to "consider the children's best interests and make a report and recommendations" on the issues of custody, parenting time, and appropriate counseling services.

In August 2021, father moved the district court to dismiss Easter's petition to recognize her claims to custody/guardianship, vacate the July 2021 order, and modify custody so that father was the children's sole legal and sole physical custodian—or, in the alternative, modify parenting time to grant father temporary parenting time. Easter opposed father's motion. At a November 19 hearing, the district court heard the parties' arguments.

On December 10, 2021, the GAL submitted a report after interviewing the parties and the children, reviewing the records from various service providers and police departments, and contacting references. The GAL's report recommended that Easter retain permanent sole legal and permanent sole physical custody, the children continue with

[3] Father also testified that he petitioned for an order for protection (OFP) on behalf of the children against Easter and her brother-in-law. Father's request was denied as to Easter. The district court's order described the OFP to be "moot" as to the brother-in-law, who "left on vacation." This finding appears to summarize father's testimony.

therapy services, the children and father begin family therapy, and father be awarded supervised parenting time. On December 20, the district court discharged the GAL who prepared the report and appointed a new GAL.

In a written order, the district court denied father's motion to dismiss Easter's petition to recognize her guardianship/custody, denied father's request to vacate the July 2021 order, and accepted transfer of the guardianship proceedings from Wisconsin to Dakota County (February 2022 order). The district court also joined mother as a party and declared that Easter is the children's sole legal and sole physical custodian. The district court set an evidentiary hearing on father's motion to modify custody and for parenting time. Father appeals.

ISSUES

I. Did the district court err by determining that the Wisconsin guardianship orders are child-custody determinations and enforcing those orders under the MUCCJEA?

II. Did the district court deny father's motion to modify custody?

III. Did the district court decide father's alternative motion for temporary parenting time?

IV. Did the district court "effectively terminate" father's parental rights?

V. Should this court grant father's motion to supplement the record?

ANALYSIS

I. Under the MUCCJEA, the Wisconsin guardianship orders are child-custody determinations enforceable in Minnesota.

Father argues that the district court erred by denying his motion to dismiss Easter's petition to recognize her custody/guardianship. Father contends that Wisconsin

guardianship law differs from Minnesota guardianship law and that the district court erred by failing to analyze Easter's petition under Minnesota law. Father recognizes that the MUCCJEA accords full faith and credit to child-custody determinations from other jurisdictions, but he contends that the statutory requirements for interested-third-party or de facto custody are not "negate[d]."

Father's first issue asks us to interpret the MUCCJEA and apply it to the Wisconsin guardianship orders in this case. "Appellate review of custody determinations is generally limited to determining whether the district court has abused its discretion. However, the interpretation and construction of statutes are questions of law that [appellate courts] review de novo." *Lewis-Miller v. Ross*, 710 N.W.2d 565, 568 (Minn. 2006) (citation omitted).

Our goal in statutory interpretation "is to ascertain and effectuate the intention of the legislature." *Beardsley v. Garcia*, 753 N.W.2d 735, 737 (Minn. 2008) (quoting Minn. Stat. § 645.16 (2006)). "When the language of a statute is plain and unambiguous, it is assumed to manifest legislative intent and must be given effect." *Burkstrand v. Burkstrand*, 632 N.W.2d 206, 210 (Minn. 2001). Whenever possible, we interpret a statute "to give effect to all of its provisions; no word, phrase, or sentence should be deemed superfluous, void, or insignificant." *Rodewald v. Taylor*, 797 N.W.2d 729, 731 (Minn. App. 2011) (quotations omitted). We interpret a statute "as a whole" and "each section in light of the surrounding sections to avoid conflicting interpretations." *Id.* (quotation omitted). Finally, we may consider "the fundamental purpose of the entire procedural scheme" when interpreting related statutes. *In re Petition to Adopt S.T.*, 512 N.W.2d 894, 898 (Minn.

1994) (considering "the best interests of the child" when interpreting the plain language of adoption statutes).

The MUCCJEA has 39 separate sections and includes Minn. Stat. § 518D.303(a), which provides that courts "shall recognize and enforce a child custody determination of a court of another state" if (a) jurisdiction is established for the court that issued the determination, and (b) "the determination has not been modified in accordance with this chapter."[4] The MUCCJEA defines a child-custody determination as a "judgment, decree, or other order of a court providing for the legal custody, physical custody, or visitation with respect to a child." Minn. Stat. § 518D.102(d).[5]

Father argues that Easter's petition to recognize custody/guardianship should have been dismissed because the facts she alleged were insufficient to show that she could be either a de facto custodian under Minn. Stat. § 257C.01, subd. 2, or an interested third-party under Minn. Stat. § 257C.01, subd. 3.[6] Easter contends that the district court correctly

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[4] Jurisdiction of a foreign court making a custody determination may be established if that court exercised jurisdiction "in substantial conformity" with the MUCCJEA or "the determination was made under factual circumstances meeting the jurisdictional standards" of the MUCCJEA. Minn. Stat. § 518D.303(a). Father does not challenge the Wisconsin circuit court's "substantial conformity" with the MUCCJEA when it issued the guardianship orders.

[5] The MUCCJEA also provides that courts "shall accord full faith and credit to an order issued by another state and consistent with this chapter which enforces a child custody determination by a court of another state." Minn. Stat. § 518D.313.

[6] Chapter 257C of the Minnesota Statutes allows a district court to award custody of a child to a person who is not that child's parent if the person is either a "de facto custodian" of the child or an "interested third party." Minn. Stat. § 257C.03. A "de facto custodian" is one who has been the primary caretaker for a child "without a parent present and with a lack of demonstrated consistent participation by a parent" for a specified period before the

granted her petition under the MUCCJEA and that father's "interpretation would totally undermine the intention of the MUCCJEA to allow for transfer of orders among the various states to allow for efficient and proper transfers of jurisdiction over custody issues from one state to another."

The district court determined that Easter "need not petition as a de facto custodian or an interested third party because her rights as the children's legal custodian and guardian have already been established." As the district court put succinctly, "this case is past the initial determination of a guardianship/custody." We agree with the district court based on the specific provisions of the Wisconsin guardianship orders under relevant Minnesota law and the plain language of the MUCCJEA.

First, the Wisconsin guardianship orders are child-custody determinations under the MUCCJEA because they awarded Easter what, in Minnesota, would be sole legal and sole physical custody of the children. Minn. Stat. § 518D.102(d) (stating that a child-custody determination includes, among other things, a court order providing for legal or physical custody of a child). In Minnesota, legal custody is "the right to determine the child's upbringing, including education, health care, and religious training." Minn. Stat. § 518.003, subd. 3(a) (2020). Physical custody is "routine daily care and control and the residence of the child." *Id.*, subd. 3(c) (2020). The Wisconsin guardianship orders granted

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petition is filed; the period varies with the child's age. Minn. Stat. § 257C.01, subd. 2. An "interested third party" includes a person who is *not* a "de facto custodian," but who can prove at least one of three factors, including that a parent has abandoned or neglected a child; to be an "interested third party," the person must also show that it is in the child's best interests for the person to have custody and that the person has not been convicted of a crime. Minn. Stat. §§ 257C.01, subd. 3, .03, subd. 7.

Easter broad powers, such as making medical and educational decisions and having "care, custody, and control" over the children. The district court, therefore, correctly determined that the Wisconsin guardianship orders are child-custody determinations under the MUCCJEA.

Second, the MUCCJEA provides that courts "shall recognize and enforce" a child-custody determination of a foreign court as long as the jurisdictional requirements are met, and the foreign jurisdiction's custody determination has not been modified. Minn. Stat. § 518D.303. Here, father does not dispute that Wisconsin had jurisdiction when it issued the guardianship orders or that Minnesota has jurisdiction under the MUCCJEA. Father also concedes that the Wisconsin guardianship orders have not been modified. Thus, the district court properly recognized and enforced the Wisconsin guardianship orders as child-custody determinations. Easter, therefore, need not petition for custody as either an interested third party or de facto custodian because Easter had legal and physical custody recognized under the MUCCJEA.

Father urges us to require Easter to petition to be awarded custody as either an interested third party or de facto custodian for two more reasons. First, he argues that Wisconsin guardianship law differs from Minnesota guardianship law. Father contends that the MUCCJEA allows Minnesota to assume jurisdiction over the children and the custody issue, but only to "temporarily enforce orders from the other state," and the district court must decide whether "the orders from the other state (in this case Wisconsin), are appropriate under Minnesota law."

Father points out that in Wisconsin, a circuit court may appoint a guardian after finding that a parent is "unfit or unable" to provide care to the child. *See Barstad v. Frazier*, 348 N.W.2d 479, 489 (Wis. 1984) (stating that a parent is entitled to custody of their children "unless the parent is either unfit or unable to care for the children or there are compelling reasons for awarding custody to a third party"). In contrast, in Minnesota, a district court may not appoint a guardian for a minor child unless the parents are deceased, or their parental rights have been terminated. Minn. Stat. § 524.5-204(a) (2020).

The district court recognized, as do we, that father accurately describes differences between Wisconsin and Minnesota law on guardianship of a minor child. We are not persuaded that father's argument prevails, however, because it does not consider the plain terms of the MUCCJEA. The MUCCJEA requires that a district court first determine whether a court from another jurisdiction has made a child-custody determination and, if so, provides that a district court "shall" recognize and enforce that custody determination in Minnesota unless the determination has "been modified" under the MUCCJEA. Minn. Stat. § 518D.303(a).

In fact, the MUCCJEA provides that a district court "may not modify" a child-custody determination made by a foreign court unless certain conditions are met. Minn. Stat. § 518D.203.[7] Also, the MUCCJEA does not authorize courts to determine

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[7] Specifically, a district court "may not modify a child custody determination made by a court of another state" unless (1) the Minnesota court has jurisdiction to make an initial determination, and (2) either the other state determines it no longer has jurisdiction, or a court of either state determines that the child, the parents, and "any person acting as a parent" do not reside in the other state. Minn. Stat. § 518D.203.

whether a foreign court's child-custody determination is "appropriate," nor does it grant courts the discretion to enforce some child-custody determinations and not others. Indeed, the MUCCJEA defines a "[c]hild custody proceeding" to include "a proceeding for . . . guardianship." Minn. Stat. § 518D.102(e). Accordingly, we reject father's argument that the district court should have determined whether the Wisconsin guardianship orders are "appropriate" under Minnesota law before recognizing and enforcing them.

We also disagree with father's view that his statutory interpretation flows from the MUCCJEA's purpose. Father is correct that the MUCCJEA is not a substantive custody statute. "[U]niform custody laws were established to resolve jurisdictional issues involving interstate child-custody disputes and must be interpreted accordingly." *Stone v. Stone*, 636 N.W.2d 594, 597 (Minn. App. 2001). The MUCCJEA seeks to "[a]void jurisdictional competition and conflict" and the resulting "shifting of children from [s]tate to [s]tate with harmful effects on their well-being." *Unif. Child-Custody Jurisdiction & Enf't Act* § 101, 9 U.L.A. 474 (1997). The MUCCJEA "[f]acilitate[s] the enforcement of custody decrees of other [s]tates" and thereby discourages moving children to gain a legal advantage. *Id.*[8] In short, by recognizing and enforcing child-custody determinations issued by foreign courts, the MUCCJEA avoids jurisdictional disputes and limits the effect of changes in substantive custody law for children who move across borders. Thus, requiring a district

[8] We note that father does not claim that Easter moved the children to gain a legal advantage. Indeed, Easter informed the circuit court of her Lakeville home, as noted in the Wisconsin guardianship orders.

court to determine whether a foreign court's child-custody determination is "appropriate" before enforcing it would undermine the MUCCJEA's purpose.

Finally, father contends that the Wisconsin guardianship orders did not grant Easter "permanent custody." We disagree. The Wisconsin guardianship orders stated that "[i]t is appropriate to appoint and authorize a permanent guardian" and determined by clear and convincing evidence that "neither parent [was] able to provide for the safety of the children." The Wisconsin guardianship orders also granted Easter broad powers by authorizing each of 16 powers enumerated in Wisconsin's guardianship law and explicitly declining to limit Easter's powers. And the Wisconsin guardianship orders stated that they were final for the purposes of appeal.[9]

For these reasons, we conclude that the district court (a) properly recognized and enforced the Wisconsin guardianship orders as child-custody determinations under the MUCCJEA and (b) appropriately did not require Easter to petition the district court to award her custodial rights as a de facto custodian or interested third party under Minn. Stat. §§ 257C.01-.08.[10]

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[9] Father also argues that the district court had improper communication with the Wisconsin circuit court and that "there should be a record of the substance of" conversations between the Minnesota and Wisconsin courts. We disagree. A district court is allowed to communicate with courts of other states on issues "concerning a proceeding arising under" the MUCCJEA. Minn. Stat. § 518D.110(a). Indeed, Minn. Stat. § 518D.110(c) provides that "[a] record need not be made of the communication."

[10] Father contends that the district court erred by determining that "even if grandmother would need to petition the court for custody, grandmother would be considered a de facto custodian of the children given she has been the sole primary caregiver of the children since 2013." Because we conclude that Easter need not petition as a de facto or third-party

II. Father mischaracterizes the district's court's decision by arguing it denied his motion to modify Easter's custody of the children.

Father first argues that the district court should have terminated Easter's custody, but he cites no legal authority for that argument. More importantly, father mischaracterizes the district court's order as a denial of his motion to modify custody. But the district court did *not* deny father's motion; it set an evidentiary hearing on his motion. Because that motion is pending in district court, we will simply make an observation.

Generally, to obtain an evidentiary hearing on a motion to modify custody, a movant need only allege facts which, if true, would allow the district court to grant the relief sought. *Woolsey v. Woolsey*, 975 N.W.2d 502, 507 (Minn. 2022); *Amarreh v. Amarreh*, 918 N.W.2d 228, 231 (Minn. App. 2018). Here, the district court concluded that father's motion had alleged a prima facie case of endangerment and set the matter for an evidentiary hearing, which was then postponed when father appealed.

III. Father mischaracterizes the district court's decision on his alternative motion for temporary parenting time.

Father next argues the district court abused its discretion by denying his alternative motion for temporary parenting time, claiming Easter has "deprived [him] of all contact with [his] children for over a year." As with father's motion to modify custody, this argument mischaracterizes the district court's decision. The district court noted that the parties had a voluntary agreement for father's parenting time, which agreement terminated when father failed to return the children to Easter as he had promised. The district court

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custodian, we need not decide father's challenge to the district court's alternative reason for denying his motion to dismiss Easter's petition.

then observed that the GAL had been appointed "to aid in determining what custodial and parenting time arrangements were in the best interests of the children." Finally, the district court stated that "the GAL [had] not yet completed the investigation or produced a report" and concluded that parenting time would be decided at the evidentiary hearing that would also determine father's motion to modify custody.[11]

Because father's parenting time is pending in district court, we will not interfere with—or comment on—the district court's addressing of parenting time. *See Korf v. Korf*, 553 N.W.2d 706, 709 n.1 (Minn. App. 1996) (stating that orders for temporary relief are not final appealable orders, and a reviewing court considers an order for temporary relief only if the district court used the order as a basis for its final ruling).

IV. The district court did not "effectively terminate" father's parental rights.

Father first argues the district court "effectively terminat[ed]" his parental rights without due process by granting custody to Easter and failing to join mother as an indispensable party. *See In re Welfare of Child of J.H.*, 968 N.W.2d 593, 605 (Minn. App. 2021) ("The Due Process Clause protects parents' fundamental liberty interest in custody and care of their children."), *rev. denied* (Minn. Dec. 6, 2021).

First, "[courts] do not decide constitutional questions except when necessary to do so in order to dispose of the case at bar." *State v. Hoyt*, 304 N.W.2d 884, 888 (Minn. 1981).

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[11] The record on appeal includes a GAL report from December 2021, issued well before the district court's order appealed by father. The GAL report recommends that father receive supervised visitation and that the children begin family therapy with father at the discretion of the children's therapist. After the GAL report was filed with the district court, the district court appointed a new GAL and also authorized the new GAL to make recommendations on custody and parenting time.

Here, no constitutional issue is before this court because the district court did not terminate father's parental rights. Nothing in the district court proceedings involved father's parental rights under Minn. Stat. §§ 260C.301-.328, and father's right to custody is now pending in district court.

Second, while father correctly notes that mother was not joined as a party after the May 2021 or July 2021 orders, father lacks standing to make a due-process challenge for mother or to argue that her parental rights were "effectively terminated." *See Lorix v. Crompton Corp.*, 736 N.W.2d 619, 624 (Minn. 2007) (requiring that a party have an "injury-in-fact" resulting from the challenged action or be the beneficiary of a legislative enactment granting standing in order to seek relief).

Third, Easter's attorney stated at the May 2021 hearing that mother would be joined as a party. Mother was present at all the district court proceedings, and the district court joined her as a party in the February 2022 order. Even if the district court erred vis-à-vis mother by failing to join her in the proceeding until the February 2022 order, we discern neither error nor prejudice with respect to father. *See Waters v. Fiebelkorn*, 13 N.W.2d 461, 465 (Minn. 1944) ("[E]rror without prejudice is not ground for reversal."). *See generally Dart v. McGraw*, 283 N.W. 538, 539 (Minn. 1939) ("One not a party, or in privity with a party, is not bound by a judgment."); *Danielson v. Danielson*, 721 N.W.2d 335, 339 (Minn. App. 2006) (stating that "in a dissolution proceeding, a district court lacks personal jurisdiction over a nonparty and cannot adjudicate a nonparty's property rights").

We conclude that the district court did not "effectively terminate" father's parental rights.

V. Father's motion to supplement the record is denied.

After filing his appeal, father moved to supplement the record on appeal to include transcripts of hearings and registers of action in the Wisconsin guardianship cases. The appellate record consists of "[t]he documents filed in the trial court, the exhibits, and the transcript of the proceedings." Minn. R. Civ. App. P. 110.01. If the record on appeal is inaccurate or incomplete, a party may move to correct or modify the record. Minn. R. Civ. App. P. 110.05. But "[r]ule 110.05 is limited to correction of the record so that it accurately reflects anything of material value that was omitted from the record by error or accident or is misstated in it." *W. World Ins. Co. v. Anothen, Inc.*, 391 N.W.2d 70, 72 (Minn. App. 1986).

Father argues that the district court's February 2022 order directed that the Wisconsin court file be incorporated. He claims we will accomplish this by granting his motion to supplement the appellate record. We disagree for two reasons.

First, the February 2022 order provided that the Wisconsin guardianship cases would be consolidated into the custody file. The Wisconsin guardianship files, however, lack the transcripts submitted with father's motion. Indeed, the May 24, 2021 transcript father offers is not certified, and the June 14, 2021 transcript was certified as of July 28, 2022—three months after father filed this appeal. Thus, both transcripts are outside the scope of the February 2022 order directing consolidation of the court files. Because father's supplemental transcripts are not in the record and were not submitted to the district court before it made the decision being appealed, we decline to consider them. *See Thiele v. Stich*, 425 N.W.2d 580, 582-83 (Minn. 1988) (stating that "[a]n appellate court may not

base its decision on matters outside of the record on appeal, and may not consider matters not produced and received in evidence below”); *Anothen*, 391 N.W.2d at 72 (noting a motion to modify the appellate record is limited to matters omitted by error or accident).

Second, the Wisconsin register of actions merely shows the dates of hearings, which is information already in the appellate record. We therefore deny father’s motion to supplement the record.

DECISION

Because the district court properly recognized and enforced the Wisconsin guardianship orders as child-custody determinations under relevant Minnesota law and the MUCCJEA, we affirm the district court’s denial of father’s motion to dismiss Easter’s petition to recognize her guardianship/custody. We reject father’s claims that the district court denied his motion to modify custody or his alternative motion for temporary parenting time. The district court has stated that it will determine father’s custody motion and father’s parenting time after an evidentiary hearing. The district court did not effectively terminate father’s parental rights. Finally, we deny father’s motion to supplement the record.

Affirmed; motion denied.