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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A23-1203**

State of Minnesota,
Respondent,

vs.

Antoine Darnique Suggs,
Appellant.

**Filed July 29, 2024
Affirmed
Ross, Judge**

Ramsey County District Court
File No. 62-CR-21-5368

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

John J. Choi, Ramsey County Attorney, Alexandra Meyer, Assistant County Attorney, St. Paul, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Steven P. Russett, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Johnson, Presiding Judge; Ross, Judge; and Reyes, Judge.

NONPRECEDENTIAL OPINION

ROSS, Judge

Antoine Suggs fatally shot all four of his unarmed passengers in the head and drove around for about eight hours before leaving the car in a Wisconsin cornfield with the dead bodies and his blood-splattered driver's license inside. Suggs promptly attempted to

purchase an alibi-establishing plane ticket, and he fled to Arizona in a rental car. A jury rejected Suggs's self-defense claim and found him guilty on four counts of second-degree intentional murder. Suggs appeals from his convictions, arguing that the district court erroneously instructed the jury on self-defense, that his attorney improperly conceded his guilt, that the prosecutor engaged in misconduct during trial, and that the district court excessively sentenced him to serve 1,244 months in prison. None of Suggs's arguments warrants reversing.

FACTS

In the afternoon of September 12, 2021, a farm worker in Dunn County, Wisconsin, followed a long path of flattened stalks through a cornfield and found a black Mercedes SUV parked and occupied. The worker approached, intending to confront the trespassers and order them off the property. But when he peered through the driver's side window, he saw a woman in the passenger seat slumped forward with dried blood on her shirt and a man in the back seat, staring blankly with his head tipped back. The farm worker told his supervisor, who summoned police.

Police found four dead bodies—two women and two men—inside the Mercedes, each shot in the head. Investigators later identified the victims. Nitosha Flug-Presley sat in the front passenger seat. Jasmine Sturm sat immediately behind her. Loyace Foreman III sat in the rear middle position beside Jasmine. And Matthew Pettus sat immediately behind the driver's seat beside Loyace. The driver's seat was empty. Dunn County investigators found a Parliament cigarette and a candy wrapper outside the Mercedes. Inside the car they

recovered six bullet casings, a receipt from a St. Paul bar, and a blood-splattered Arizona driver's license belonging to Antoine Suggs.

During the ensuing investigation, police learned that a family friend of Suggs held title to the Mercedes but that Suggs may have been in the process of purchasing the car from him. A logo on two of the victims' shirts and a receipt in the car led police to two St. Paul bars on West 7th Street: Shamrocks and the White Squirrel. The White Squirrel owner told investigators that victim Jasmine, who had applied to work there, had visited the bar with friends on September 12, 2021. Victims Nitosha and Matthew were two of those friends. According to the bartender, Jasmine, Nitosha, and Matthew left the bar shortly before 2:00 a.m.

St. Paul police, aided by the FBI, analyzed cellphone records of Suggs, Suggs's father, and the four gunshot victims to piece together the sequence of events. Those records established that the victims' phones were within the same area as Suggs's phone in the early morning of September 12. At about 3:30 a.m., Suggs's and the victims' phones all left the area of the White Squirrel. Using audio-video surveillance footage captured by multiple cameras on West 7th Street, investigators pinpointed the location of the Mercedes when four gunshots were fired, and then, 13 seconds later, a fifth gunshot sounded as the Mercedes traveled on the street. The victims' phones had no outgoing activity after the gunshots.

Suggs's phone data showed that he then drove throughout St. Paul. Surveillance footage depicted the Mercedes traveling with Nitosha in the front seat slumped over the dashboard exactly as the Wisconsin deputies would later find her body in the cornfield.

Other footage showed Suggs stopped and pumping gas into the Mercedes at a gas station on Snelling Avenue, again with Nitosha slumped over the dashboard. Phone records indicate that Suggs called his father, Darren Osborne. At about 5:10 a.m., Suggs's and Osborne's phones met and began traveling together. Both phones were turned off at about 6:05 a.m., but the victims' phones continued to transmit data and traveled together. Suggs's phone and the victims' phones were all on and together at about 9:00 a.m. The victims' phones showed that they had moved into Wisconsin and later reached an area that included the cornfield by about noon. Surveillance-camera footage depicted the Mercedes and Osborne's Nissan Rogue driving together into Wisconsin and stopping at a gas station near the cornfield. A gas-station employee recounted that a man entered the store to buy Parliament cigarettes, and she identified that man in a photographic lineup as Osborne.

The state charged Suggs with four counts of second-degree intentional murder and four counts of felony murder. Multiple witnesses testified to establish the events just described. We summarize additional trial evidence relevant to the issues raised in this appeal.

Two medical examiners testified about the victims' autopsies. According to that testimony, photographic evidence, and examination records, all four victims died from gunshots to the head. Nitosha had been shot in the face at a proximity of "within inches" of the gun's muzzle. Forensic laboratory testing of her blood revealed that she had ingested cocaine and had an alcohol concentration of 0.207. Matthew had been shot twice in the back of his head, with one bullet entering slightly from the right. He too had ingested cocaine, and his alcohol concentration was 0.105. Loyace had been shot twice in the head

from “close up,” with one shot entering his right cheek and the other the top of his head. He had ingested alcohol, cocaine, THC, and an opioid. Jasmine had been shot once with a bullet that travelled through her hand and into her face. She too had ingested alcohol and cocaine.

One of Nitosha’s friends testified. She told the jury that she had been drinking with all four victims at Shamrocks, where Jasmine and Matthew worked, and that when Shamrocks closed at 1:00 a.m., they all went with her to the White Squirrel. But because she felt ill from her alcohol consumption, she remained in her car rather than entering the White Squirrel with the group. She testified that she later watched the group leave the bar and enter a black Mercedes SUV. She saw Suggs sitting in the driver’s seat. She said that she walked to the car, spoke with Nitosha and the others briefly, and left to go home.

Suggs testified in his defense. He provided an account attempting to establish that he acted in self-defense. He said that he lives in Arizona and flew to Minnesota before the weekend of the incident to visit his children. His friend, who owns the Mercedes, picked him up at the airport, and Suggs checked in at a downtown St. Paul hotel. He said that he met Nitosha two days after he arrived in Minnesota, that he placed a handgun inside the Mercedes glovebox, and that he and Nitosha went to his hotel room where he showed her \$14,000 in cash. Suggs said that the Mercedes owner flew to Atlanta and left the Mercedes for him to use.

Suggs testified that he went to the White Squirrel on September 11 with a female friend and that he saw Nitosha there. He said that he left the bar to smoke in the parked Mercedes and that Nitosha and her friends joined him. He testified that the group had a

discussion that he did not understand and that at about 3:00 a.m. the group told him to pull away from the area of the bar, and he did. According to Suggs, Matthew suddenly began punching the back of his head and Nitosha pulled the gun from the glovebox and pointed it at him. Matthew then allegedly told Suggs, "We want all of that shit," referring to cocaine. Suggs explained that he acted quickly when Nitosha became distracted, snatching the gun from her and shooting twice. At that point Jasmine reached for the gun from the backseat, Suggs asserted, and he shot again. Suggs intimated that his shots just happened to strike the four passengers precisely in their heads, telling the jury that he fired all the shots within 8 to 10 seconds and that he just randomly "shot in general directions of where [he] thought people were," not intending to kill anyone. He claimed also that he was concerned that other guns were in the car. He told the jury that he didn't "see anything that [he] could have done to avoid this situation." He acknowledged that he did not check to see if any of the four were alive after the shooting, did not touch or move the victims within the car after he shot them, and did not check to see if any of the victims had a weapon.

Suggs's testimony implied that his memory was fuzzy about the events after the shooting. He remembered only asking for his father's help and that he and his father wound up in a cornfield in Wisconsin where they left the Mercedes and drove away in his father's Nissan. He testified that his father disposed of the gun for him after they left the bodies in Wisconsin. Suggs then drove to Arizona in a car rented under a different name. He also attempted to counter the prosecutor's theory that he fabricated an alibi by quickly driving to Arizona intending to fly immediately back to Minnesota. Explaining why he attempted

to book a flight from Arizona to Minnesota instead of Minnesota to Arizona, Suggs claimed that he had merely been confused.

The jury was apparently not persuaded by Suggs's self-defense account, finding him guilty on all counts of intentional murder. It acquitted him on all counts of felony murder. The district court sentenced Suggs to four consecutive prison terms consisting of 326, 306, 306, and 306 months, totaling 1,244 months. This appeal follows.

DECISION

Suggs challenges his conviction based on four arguments. He argues first that the district court erroneously gave the jury the justifiable-taking-of-life self-defense instruction even though he denied that he killed the victims intentionally. He argues second that his attorney provided ineffective representation by conceding his guilt through an allegedly erroneous jury-instruction request and by failing to thoroughly investigate. He argues third that the prosecutor committed four instances of misconduct prejudicing his right to a fair trial. And he argues fourth that the district court abused its discretion by sentencing him consecutively to 1,244 months in prison. We have carefully considered each argument and conclude that, for the following reasons, none leads us to reverse.

I

Suggs convincingly argues that the district court erroneously followed Suggs's request to include a justifiable-taking-of-life self-defense instruction. We generally review a challenge to a jury instruction for an abuse of discretion. *State v. Koppi*, 798 N.W.2d 358, 361 (Minn. 2011). But where, as here, the alleged error resulted from the appellant's invitation, we review only for plain error. *See State v. Carridine*, 812 N.W.2d 130, 142

(Minn. 2012). Under that review standard, Suggs can secure a reversal only if he identifies an error, we conclude that the error was plain, and we hold that the error affected his substantial rights. *Id.* If Suggs passes each step, we will consider reversing only if the error should be addressed “to ensure fairness and the integrity of the judicial proceedings.” *Id.* (quotation omitted). Our review informs us that Suggs has identified a plain error but that he fails to show that the error affected his substantial rights.

The district court plainly erred by giving the instruction. Errors are plain when they are “clear or obvious.” *State v. Burg*, 648 N.W.2d 673, 677 (Minn. 2002) (quotation omitted). Minnesota law contemplates two categories of self-defense, the first applying to self-defense generally and the second applying only in cases involving intentional killing. Under the first, “reasonable force may be used upon or toward the person of another without the other’s consent when the following circumstances exist or the actor reasonably believes them to exist: . . . (3) when used by any person in resisting . . . an offense against the person.” Minn. Stat. § 609.06, subd. 1 (2020). Under the second, “[t]he intentional taking of the life of another is not authorized by section 609.06, except when necessary in resisting or preventing an offense which the actor reasonably believes exposes the actor or another to great bodily harm or death.” Minn. Stat. § 609.065 (2020). Suggs correctly argues that the district court erroneously instructed the jury, “The defendant asserts the defense of justifiable taking of life,” followed by the explanation that a crime does not occur “when a person intentionally takes a life of another” to avoid death or great bodily harm. Caselaw consistently holds that a district court errs if it instructs the jury on the justifiable intentional taking of a life when the defendant claims the resulting death was

unintentional. *See State v. Marquardt*, 496 N.W.2d 806, 806 & n.1 (Minn. 1993); *State v. Pollard*, 900 N.W.2d 175, 176 (Minn. App. 2017). Because Suggs testified that he did not intend to kill the victims and that he fired the gun merely in their direction, the district court plainly erred by instructing the jury on the justifiable taking of life.

But Suggs does not and cannot show that the plain error affected his substantial right to a fair trial. Erroneous jury instructions prejudice a defendant's right to a fair trial if "there is a reasonable likelihood that giving the instruction in question had a significant effect on the jury's verdict." *State v. Huber*, 877 N.W.2d 519, 525 (Minn. 2016) (quotation omitted). We know that the erroneous instruction was inconsequential based on the jury's verdict, finding Suggs guilty of second-degree *intentional* murder. The guilty verdict informs us that the jury necessarily rejected Suggs's claim that his killings were unintentional. And because intentional killings are justified only if a defendant meets the elements for the justifiable taking of a life, the jury's verdict coincidentally made the erroneous self-defense instruction applicable. In other words, the erroneous instruction could have only aided, rather than prejudiced, Suggs's defense.

This reasoning is not new, as it follows the supreme court's *Carridine* rationale. The *Carridine* defendant faced trial for premeditated first-degree murder, claimed that he acted in self-defense, and asserted that the killing was unintentional. 812 N.W.2d at 134–36. The jury found Carridine guilty after receiving the justifiable-taking-of-life instruction. *Id.* at 134, 143. The instruction was erroneous because the defendant testified that he had not intended to kill the victim. *Id.* at 143–44. But the error did not affect his substantial rights because the jury implicitly rejected his claim that the killing was unintentional, which was

a “factual predicate” to his challenge to the district court’s self-defense jury instruction. *Id.* at 144. The same reasoning applies here, defeating Suggs’s instruction-based unfair-trial argument.

II

We are unpersuaded by Suggs’s contention that he received constitutionally inadequate representation. We address first his claim that he received inadequate representation based on his attorney’s implicitly conceding that Suggs intentionally killed the four victims. Criminal defendants are entitled to adequate legal representation. U.S. Const. amend. VI; Minn. Const. art. I, § 6. Addressing a claim of ineffective assistance of counsel, we ordinarily must determine whether counsel’s performance fell below an objective standard of reasonableness, and if it did, whether counsel’s unreasonable performance affected the outcome of the trial. *Strickland v. Washington*, 466 U.S. 668, 687 (1984); *State v. Jones*, 977 N.W.2d 177, 193 (Minn. 2022). But Suggs rests his contention on the theory that his counsel conceded his guilt. When defense counsel concedes his client’s guilt without the defendant’s consent or acquiescence, “counsel’s performance is deficient and prejudice is presumed.” *State v. Huisman*, 944 N.W.2d 464, 467 (Minn. 2020) (quotation omitted). Suggs loses on this issue because we do not believe that his trial counsel conceded his guilt.

Suggs bases his guilt-concession argument on two circumstances: his attorney’s requesting the erroneous instruction and his attorney’s statement during closing argument. Neither basis supports his argument.

Suggs's attorney's requesting the erroneous justifiable-killing instruction did not concede to the jury that Suggs is guilty. The record does not suggest that the jury knew which party, if either, had requested the instruction. The jury was advised that the instructions were the district court's legal directives, not that they originated with either party. Suggs does not explain why we should assume that the jury inferred that the instruction originated with Suggs rather than with the state or with the district court.

Similarly unavailing is Suggs's contention that his counsel implicitly conceded his intent to kill in the following segment of closing argument:

So you have been given an uncomfortable truth. Mr. Suggs was presented with such a dangerous threat that he was justified in ending the threat by killing those who intended to kill him. His actions were done in kind, or on par with, the level of threat that was presented against him. In fact, he used the same weapon to end the threat that was attempted to be[] used against him.

This statement in the closing argument does not concede that Suggs *intended* to kill the four victims. It indicates only that he ended the supposed threat against him “*by killing* those who intended to kill him.” The attorney was stating a fact undisputed at trial (that Suggs had killed them all) and referencing Suggs's self-defense theory. Suggs had testified that one of the victims was punching him in the head while another pointed a gun at him. Based on his testimony, his counsel's argument can reasonably be interpreted as urging the jury to find that Suggs feared for his life and that he used force consistent with the force employed by his assailants. The argument so interpreted did not concede Suggs's intent to kill but contended that Suggs killed them by responding proportionately and justifiably. The argument therefore incorporates Minnesota's general self-defense standard. *See Minn.*

Stat. § 609.06, subd. 1(3). We reject Suggs’s claim that his counsel conceded his guilt on either basis, and we hold that his claim of ineffective assistance of counsel fails.

Also unconvincing is Suggs’s second basis for asserting that he received inadequate representation, which is that his attorney failed to interview and subpoena his father and the woman he was with before the killings. Suggs’s argument requires us to evaluate the tactical decisions of his counsel, which we decline to do. *State v. Hokanson*, 821 N.W.2d 340, 358 (Minn. 2012). We add that his attorney’s tactical decision does not appear to be unreasonable. The trial evidence established that neither Suggs’s father nor the woman was present at the time of the shootings, and the only material factual dispute at trial was whether Suggs intentionally killed the victims and, if he did, whether he did so justifiably in self-defense. Suggs does not say how either of the two identified potential witnesses would have testified or suggest how their testimony would bear on the relevant trial issues. Suggs fails to identify any constitutionally inadequate representation.

III

Suggs argues that the state committed four instances of prosecutorial misconduct. Because Suggs objected to none of the alleged misconduct during trial, we review his contentions applying a modified plain-error standard. *See State v. Ramey*, 721 N.W.2d 294, 302 (Minn. 2006). Under that standard, Suggs first bears the burden of identifying a plain error. *Id.* If he succeeds, the burden shifts to the state to prove that the misconduct did not affect Suggs’s substantial rights, meaning that there is “no reasonable likelihood that the absence of the misconduct in question would have had a significant effect on the verdict of the jury.” *Id.* (quotation omitted). If Suggs meets his burden and the state fails to meet its

consequent burden, we must determine whether reversal is necessary to “ensure fairness and the integrity of the judicial proceedings.” *Id.* We hold that any prosecutorial misconduct did not affect Suggs’s substantial rights.

We begin with Suggs’s contention that the prosecutor committed misconduct by presenting evidence that police gave him a *Miranda* warning. Suggs’s argument concerns the prosecutor’s direct examination of an investigator who interviewed Suggs while he was in custody following the killings. The following testimony occurred:

- Q. Okay. So Mr. Suggs was in custody at that point; is that right?
- A. Correct.
- Q. And I am going to show you what’s been marked as Exhibit 204. Do you recognize this document?
- A. Yes.
- Q. What is it?
- A. It’s a Miranda form.
- Q. And is that just where it lists off someone’s Miranda rights you read off?
- A. Correct. We ask for information, pertinent information, name, address, date of birth, phone number, and then read the rights of the individual.
- Q. Okay. And did he give a phone number when you talked to him?
- A. Yes.
- Q. And what phone number is that?
- A. (480) 925-[XXXX].

The prosecutor then successfully offered into evidence the actual *Miranda* form being discussed. The supreme court has clarified that a prosecutor’s eliciting an officer’s testimony that the officer gave the defendant a *Miranda* warning is error when the testimony is “wholly gratuitous, serving no probative purpose whatever.” *State v. Beck*, 183 N.W.2d 781, 783–84 (Minn. 1971). The prosecutor’s referencing the *Miranda* form in

his direct examination of the investigator and offering the *Miranda* form into evidence here was not error under the *Beck* standard.

The circumstances here differ substantially from the circumstances in *Beck*. The *Beck* court reversed a defendant's conviction after an officer testified that he gave the defendant a *Miranda* warning and advised him of his right to remain silent. *Id.* at 783. The supreme court reasoned that, because the testimony served "no probative purpose whatever" and because it encouraged an adverse inference from the defendant's failure to testify at trial, the testimony was improper and not harmless beyond a reasonable doubt. *Id.* at 783–84. Because no victim in this case survived, the only witness to the killings was Suggs. The state therefore relied on cellphone data to prove that Suggs was the killer, which required matching Suggs's phone number (as listed on the *Miranda* form) to the data used to provide the jury with a timeline of key events. And unlike the defendant in *Beck*, Suggs did testify at trial, limiting the potential negative inference from Suggs's decision to exercise his right to remain silent. We hold that offering the *Miranda*-related evidence did not constitute misconduct.

We next consider Suggs's contention that the prosecutor misinformed the jury about his claim of self-defense. Prosecutors may not misinform the jury on the applicable law. *State v. Strommen*, 648 N.W.2d 681, 689 (Minn. 2002). Suggs contends that the prosecutor's following closing comments misinformed the jury:

Mr. Suggs can't have it both ways. Right. He can't have it both ways. I am so scared; I'm convinced that these people are going to rob me and kill me. Right. But I never intended to actually kill them, never intended to do that. I just wanted to stop the threat.

The state appears to concede that this was plain error. Minnesota's general self-defense law, as explained above, applies to the situation described by the prosecutor: the defendant used reasonable force but did not intend to kill the victims. *See* Minn. Stat. § 609.06, subd. 1(3). The prosecutor's statement was therefore legally incorrect; Suggs could claim both that he was convinced that the victims would kill him and that he did not intend to kill them. Suggs has identified a plain error.

But the state has carried its burden of proving that the prosecutor's misstatement of the law did not affect Suggs's substantial rights. Under these facts, we are confident that the jurors relied on the overwhelming evidence, rather than on the errant argument, to reach their finding that Suggs killed the victims intentionally. Jurors learned that Suggs shot all four victims in the head at extremely close range, two of them twice. They learned that he shot one of the men in the face and also in the top of the head and that he shot the other man twice in the back of the head. It is inconceivable that the jurors might have found the killings unintentional. And no reasonable juror could have believed Suggs's self-defense theory. Jurors learned that each of Suggs's gunshot victims was substantially under the influence of alcohol and other drugs at the time of the shootings. No victim possessed a weapon. Suggs did not stop to determine whether any victim was still alive, needing medical assistance. He did not report their alleged attack and supposed attempted theft to police. He instead drove around for many hours with their dead bodies in the car. Then he summoned his father's assistance and attempted to hide the bodies in the Wisconsin field before he fled the state. Self-defense might have been his best defense available, but it was

nevertheless logically implausible. We are certain that the prosecutor's misstatement of law did not impact the jury's conclusion that Suggs intentionally killed the victims and did not act in self-defense.

We address next Suggs's contention that the prosecutor committed misconduct by imagining alternative factual scenarios during closing argument. The prosecutor told the jury,

The State does not need to prove motive. In other words, it is not the burden of the State to prove beyond a reasonable doubt the reason why this happened. I am sure anyone could come up with any number of possible reasons. After cocaine and alcohol and no sleep, someone in the car said something that was offensive to Mr. Suggs, and he snapped. [A female friend] was already upset about not spending the night with him. Maybe she was texting him. Maybe Nitosha said she wanted to go home. There's any number of explanations, but none of it's going to be satisfactory because at the end of day, there was simply no reason in the world for these four people to be shot and killed that night. It was senseless.

Prosecutors may argue reasonable inferences from the evidence presented. *State v. Munt*, 831 N.W.2d 569, 587 (Minn. 2013). But prosecutors are prohibited from speculating in closing arguments about "events occurring at the time of the killing absent a factual basis in the record." *State v. Leake*, 699 N.W.2d 312, 327 (Minn. 2005). While the record contained evidence that Suggs had consumed alcohol, cocaine, and marijuana, the record did not establish that anyone said anything offensive to Suggs, causing him to "snap," or that he was provoked by a text message. The prosecutor therefore plainly erred by inviting jurors to speculate about what led Suggs to kill his passengers.

But the prosecutor’s speculation did not affect Suggs’s substantial rights. One factor bearing on whether an improper argument prejudiced the defense is whether the defendant’s counsel had the opportunity to rebut the improper remarks. *State v. Davis*, 735 N.W.2d 674, 682 (Minn. 2007). Suggs’s counsel had this opportunity and took advantage of it:

The state doesn’t have to prove motive; that’s true. I’m not telling you that [it] does, but if you logically reasonably think about whether or not he was acting responsibly, then we also must think about why do we think – if it didn’t happen the way that Mr. Suggs [says it] happened, then why do we think that it happened some other way?

That statement and rhetorical question rebutted the prosecutor’s misconduct by also asking the jury to speculate about what caused Suggs to kill the four victims. We conclude that the state has carried its burden of showing that the prosecutor’s impermissible speculation comments did not affect Suggs’s substantial rights.

Suggs contends finally that the prosecutor urged the jury to draw adverse inferences from his post-*Miranda* silence. During closing arguments, the prosecutor attacked the credibility of Suggs’s self-defense story, three times pointing to the “year-and-a-half” Suggs had to “come up with the perfect explanation for what happened in that car.” Prosecutors cannot use a defendant’s post-*Miranda* silence to impeach a defendant’s trial testimony or to refute his defense. *Wainwright v. Greenfield*, 474 U.S. 284, 292–95 (1986) (refuting defense); *Doyle v. Ohio*, 426 U.S. 610, 617–18 (1976) (impeaching testimony). That rule protects against “the fundamental unfairness of implicitly assuring a suspect that his silence will not be used against him” and then using his silence to impeach him at trial.

South Dakota v. Neville, 459 U.S. 553, 565 (1983). But the prosecutor did not reference Suggs’s silence. The comments instead merely highlighted that, despite having had a year and a half since the killings, Suggs’s objectively unreasonable self-defense theory was the best defense he could develop. We see no misconduct in the prosecutor’s statements.

IV

Suggs’s remaining issue is whether the district court abused its discretion by sentencing him to serve consecutive 326-, 306-, 306-, and 306-month prison terms. We afford the district court great discretion in its sentence imposition. *See State v. Hough*, 585 N.W.2d 393, 397 (Minn. 1998). A district court abuses its discretion when its sentence unfairly exaggerates the criminality of the defendant’s conduct. *Id.* Contrary to Suggs’s argument, his sentence does not unfairly exaggerate the criminality of his offenses. The multiple-victim rule permits the district court to issue multiple sentences for multiple crimes that arise out of one behavioral incident when the defendant’s crimes affected multiple victims and when the imposition of multiple sentences does not “unfairly exaggerate the criminality of the defendant’s conduct.” *State v. Alger*, 941 N.W.2d 396, 400 (Minn. 2020) (quotation omitted). We have surveyed relevant caselaw for sentences received by other offenders for similar offenses as the supreme court demonstrated in *Carpenter v. State*, 674 N.W.2d 184, 189 (Minn. 2004), and we are satisfied that neither the length of the individual prison terms nor the consecutive nature of the sentences unfairly exaggerates Suggs’s criminal conduct. We hold that the district court acted within

its discretion when it sentenced Suggs to consecutive prison terms totaling 1,244 months for convictions of four counts of second-degree intentional murder.

Affirmed.