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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0348**

State of Minnesota,
Respondent,

vs.

Eniwo Daniel Udezi,
Appellant.

**Filed March 3, 2025
Affirmed
Bratvold, Judge**

Lyon County District Court
File No. 42-CR-22-989

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

Abby Wikelius, Lyon County Attorney, Julianna F. Passe, Assistant County Attorney,
Marshall, Minnesota (for respondent)

Jacob M. Birkholz, Michelle K. Olsen, Birkholz & Associates, LLC, Mankato, Minnesota
(for appellant)

Considered and decided by Larson, Presiding Judge; Reyes, Judge; and Bratvold,
Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

In this direct appeal from a final judgment of conviction for misdemeanor domestic assault, appellant argues that the district court (1) committed structural error by denying appellant's motion to excuse a juror for bias, (2) abused its discretion by excluding a video

recording offered by appellant when an excerpt of the recording was admitted during the respondent's case-in-chief, and (3) erred at sentencing by ordering appellant to register as a predatory offender. Because the district court did not seat a biased juror, the exclusion of the video recording was harmless beyond a reasonable doubt, and the sentencing order for appellant to register as a predatory offender complies with the relevant statute, we affirm.

FACTS

In September 2022, respondent State of Minnesota charged appellant Eniwo Daniel Udezi by complaint with domestic assault under Minn. Stat. § 609.2242, subd. 1(2) (2018). The complaint alleges that, during the fall of 2019, Udezi assaulted I.O. in the bathroom of their Marshall home while their child was present.¹ About one year later, the state amended its complaint to also charge Udezi with false imprisonment for restraining I.O. during the bathroom incident, citing Minn. Stat. § 609.255, subd. 2 (2018).

In the probable-cause statement served with the complaint, the state disclosed that I.O. obtained a video recording of the assault “months” after it occurred and gave it to law enforcement. Udezi moved to suppress the recording. At an omnibus hearing, K.O., who was Udezi and I.O.’s roommate during the fall of 2019, testified that he installed a camera in the bathroom where the assault occurred. He testified that he watched the camera’s live feed on his cell phone “while the incident was happening.” He saved a recording of the assault, which was marked and received as exhibit 1. K.O. affirmed that exhibit 1 was an

¹ The state also charged Udezi with child endangerment, citing Minn Stat. § 609.378, subd. 1(b)(1) (2018). The district court granted Udezi’s motion to dismiss the child-endangerment charge for lack of probable cause.

accurate depiction of what he saw. K.O. also testified that he did not record the entire incident. The district court denied the motion to suppress. In August 2023, Udezi notified the state that he would rely on self-defense at trial.

Udezi's two-day jury trial started on November 29, 2023. During jury selection, Udezi moved to strike juror 5 for cause, the district court denied the motion, and juror 5 was seated as part of the panel. The state called three witnesses: I.O., a law-enforcement officer, and a former romantic partner of I.O. Udezi called K.O. along with three witnesses who testified about I.O.'s aggressive behavior towards Udezi on other occasions. Udezi also testified.

The following summarizes the state's evidence in a light favorable to the jury's verdict. I.O. testified that she lived with Udezi, their one-year-old child, and K.O. in a house in Marshall from October to December 2019. I.O. "discovered that [Udezi] was married in Nigeria." On the day of the assault, I.O. and Udezi were arguing in the bathroom about Udezi's marriage. Udezi "went livid" and "slapped" I.O., who tried to use her phone to call the police. Udezi took I.O.'s phone away from her, and she "tried to hit the phone off of him." Udezi then "pounced" on I.O., "started beating [her]," and "tried to strangle [her]." Udezi "grabbed" and "held" I.O., took her "into the bedroom," and "strangl[ed]" her. I.O. testified that she "pretended to be dead" and Udezi stopped.

Later, K.O. told I.O. that he had a recording of the assault and sent it to her. The district court admitted the recording into evidence as exhibit 1, which was played for the jury. Exhibit 1 is one minute and 11 seconds long. The district court also received into evidence photographs showing I.O.'s injuries after the bathroom incident.

On the second day of trial, as detailed below, Udezi's attorney informed the district court, outside the jury's presence, that K.O. had "found the full almost five-minute video of this interaction" and that Udezi sought to admit it into evidence. After more proceedings, the district court sustained the state's objection and excluded the longer recording, which was marked as exhibit A and filed with the court but not received into evidence.

Udezi called K.O., who testified about what he saw while watching the bathroom camera's live feed on his cell phone. He testified that I.O. was "holding [Udezi's] shirt on the collar" and making a "back and forth motion." I.O. then hit a cell phone out of Udezi's hand and also hit Udezi's hand. After this, Udezi "lashed out" at I.O., which "went [on] for a while." Udezi held I.O. in a "hand lock position and took her to the [bed]room and then left her there." Udezi returned to the bathroom, and I.O. followed him and "grabbed his shirt." I.O. started making the same back and forth motion with Udezi's shirt that she did earlier. I.O. "push[ed]" her hand "against [Udezi's] face" and "ripp[ed] his shirt."

Udezi testified about what happened in the bathroom. He testified that he and I.O. argued, I.O. locked the bathroom door, and I.O. "grabbed" Udezi "by the shirt and said [he] wasn't going anywhere." Udezi admitted that he hit I.O. and stated that I.O. was "holding on" to him when he hit her and that he was "trying to go" away. He also testified that I.O. hit him and ripped his shirt. Udezi testified that he used the force that he thought was necessary because I.O. "prevented [him] from leaving" the bathroom, where she was "verbally insult[ing]" him. Udezi testified that he "was illegally detained" and "needed to use whatever means to leave that place."

The jury found Udezi guilty of domestic assault and not guilty of false imprisonment. The district court sentenced Udezi to 90 days in jail and stayed 80 of those days based on certain conditions. The district court also ordered, among other things, that Udezi register as a predatory offender.

Udezi appeals.

DECISION

I. The district court did not err by denying Udezi’s motion to remove a juror for bias.

In his brief to this court, Udezi argues that the district court abused its discretion by denying his challenge to juror 5. The state argues that juror 5 was not biased.

During voir dire, and in response to questioning by Udezi’s attorney, juror 5 stated that her “husband passed away not long ago,” she was “having a very tough time,” and she may find it difficult to give her role as a juror her full attention. When Udezi’s attorney asked if this was “going to impact [her] ability to focus and pay attention” and render “an important decision in a case like this to both the State and the Defense,” juror 5 said, “I would hope not but I really don’t know.” She agreed that she could not “say with one hundred percent . . . certainty that [she] would be able to give this [her] undivided attention.” Udezi moved to strike juror 5 for cause.

The district court inquired of juror 5 whether she could be “fair and impartial in this particular case,” and juror 5 responded that she “hope[d]” she “could be.” Udezi’s attorney asked if juror 5’s circumstances could “impact [her] ability to be fair in this trial.” Juror 5 answered that she “would hope not” but “it’s very possible.” When the district court asked

if she would try to “do [her] best to pay attention” and “be fair and impartial,” juror 5 responded that she would. The district court denied the motion.

Criminal defendants have a constitutional right to an impartial jury. U.S. Const. amend. VI; Minn. Const. art. I, § 6. This right is violated if a juror is biased. *State v. Evans*, 756 N.W.2d 854, 863 (Minn. 2008). Seating a biased juror is a structural error that warrants automatic reversal. *Id.* “[I]f a biased juror is improperly allowed to sit in judgment of a criminal defendant and the issue is properly raised and preserved, the error has undermined the basic structural integrity of the criminal tribunal itself, and is not amenable to harmless-error review.” *State v. Logan*, 535 N.W.2d 320, 324 (Minn. 1995) (quotation omitted).

A party may challenge a juror for cause on several grounds under Minn. R. Crim. P. 26.02, subd. 5. These grounds include (1) “[t]he juror’s state of mind—in reference to the case or to either party—satisfies the court that the juror cannot try the case impartially and without prejudice to the substantial rights of the challenging party” and (2) “[a] physical or mental disability that renders the juror incapable of performing the duties of a juror.” Minn. R. Crim. P. 26.02, subd. 5(1)(1), (1)(4). Appellate courts “review a district court’s decision to seat a juror for abuse of discretion.” *State v. Fraga*, 864 N.W.2d 615, 623 (Minn. 2015).

Udezi makes two arguments about juror 5’s removal, which we address in turn. First, Udezi argues that the district court erred by denying his challenge to juror 5 because juror 5 was biased under Minn. R. Crim. P. 26.02, subd. 5(1)(1). “To prove actual bias, the challenging party must show that the juror exhibited strong and deep impressions that

would prevent her from laying aside her impression or opinion and rendering a verdict based on the evidence presented in court.” *Id.* (quotations omitted). Appellate courts apply a two-step analysis to determine whether a district court erred by seating a biased juror. *Id.* First, a court must “determine if the juror expressed actual bias” based on “the juror’s voir dire answers in context.” *Id.* “If the juror expressed actual bias, [an appellate court] must then determine whether the juror was properly rehabilitated.” *Id.*

Under the first step, Udezi argues that juror 5 expressed actual bias when she agreed that she may be unable to give her full attention during trial because her husband recently passed away. Citing juror 5’s statements, Udezi emphasizes that juror 5 “hope[d]” her circumstances would not “impact” her ability to “to be fair in this trial” but it was “very possible.” Udezi argues that juror 5’s “feelings of overwhelming [g]rief showed actual bias by an express statement” that the juror “didn’t know if they could be fair” and that “the juror knew the overwhelming grief would create a distraction of the mind so strong the juror herself was unsure of [her] own ability to be fair.”

The state responds that juror 5 “made no comments indicating bias in favor of either party.” Rather, juror 5’s comments related to “her experience of her mind occasionally wandering, associated with grief due to the death of her spouse,” not “any ‘bias’ toward either party.” The state asserts that “Udezi has not shown that Juror 5 had *any* strong impressions that would prevent her from being able to make her decision based on the evidence presented at trial,” much less “strong and deep impressions that would prevent her from laying aside her impression or opinion and rendering a verdict based on the evidence presented in court.” *Id.*

Existing caselaw guides our analysis. In *Fraga*, the Minnesota Supreme Court reversed and remanded for a new trial based on structural error because the district court seated a biased juror. *Id.* at 625-26. The supreme court determined that a juror expressed actual bias because the juror had personal knowledge of the case, stated that “it would be hard” to be fair and impartial, and stated that the details of the case were “sickening.” *Id.* at 625. In *Logan*, the supreme court ordered a new trial for similar reasons when it determined that a juror expressed actual bias because he stated he would be “more inclined to believe what [police officers] tell [him] from the witness stand than what other people tell [him].” 535 N.W.2d at 322, 324.

The state cites *State v. Wierson*—a nonprecedential opinion of this court that is factually similar to this case and therefore persuasive. No. A18-1281, 2019 WL 4409392 (Minn. App. Sept. 16, 2019), *rev. denied* (Minn. Nov. 27, 2019).² Wierson sought reversal for structural error and argued that “a juror expressed actual bias when the juror stated that his ‘concentration isn’t all that great at a trial right now’ and that ‘a lot of talk about this kind of stuff, it is kind of over [his] head.’” *Wierson*, 2019 WL 4409392, at *7-8. This court concluded that “[n]one of the juror’s comments show that the juror exhibited strong and deep impressions that would prevent him from laying aside his impression or opinion,” and, in fact, the juror did not “demonstrate any impression or opinion of any kind, much less an opinion that would have prevented the juror from” rendering a fair verdict. *Id.* at *8

² Nonprecedential opinions may be “cited for their persuasive value.” *State v. Jonsgaard*, 949 N.W.2d 161, 169 n.9 (Minn. App. 2020); *accord* Minn. R. Civ. App. P. 136.01, subd. 1(c).

(quotation omitted). Although the juror's comments suggested that he might be unable to focus and understand some topics, they did "not suggest actual bias," and no structural error occurred. *Id.*

Like the juror in *Wierson*, juror 5's comments suggested that she expected to struggle to give her "full attention" during trial, but she would try to do so and to be fair and impartial. These comments do not indicate that juror 5 had "strong and deep impressions that would prevent her from . . . rendering a verdict based on the evidence." *Fraga*, 864 N.W.2d at 623 (quotations omitted). Therefore, the district court did not abuse its discretion by denying Udezi's request to exclude juror 5 for bias. Juror 5 did not make any statements that suggest actual bias. Because juror 5 was not actually biased, we need not address whether she was successfully rehabilitated under the second step of the appellate analysis. *Id.*

Second, Udezi argues for the first time on appeal that juror 5 should have been removed for cause based on having a "physical or mental disability that renders the juror incapable of performing the duties of a juror" under Minn. R. Crim. P. 26.02, subd. 5(1)(4). The state counters that Udezi did not raise this issue during district court proceedings. "A reviewing court must generally consider only those issues that the record shows were presented and considered by the trial court." *Steward v. State*, 950 N.W.2d 750, 756 (Minn. 2020) (quoting *Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988)). Given that Udezi did not raise any issue about excluding juror 5 for physical or mental disability during voir dire, we decline to consider this argument.

II. Even if the district court abused its discretion by excluding exhibit A, any error is harmless beyond a reasonable doubt.

Udezi argues that the district court “deprived him of his constitutional right to a meaningful opportunity to present a complete defense” by excluding exhibit A. The state argues that “the district court was well within its discretion in excluding” exhibit A and, alternatively, that any error was harmless. We first discuss the relevant factual and procedural history and then address the parties’ arguments.

A. Relevant Factual and Procedural History

The contents of exhibit 1 and exhibit A inform our analysis. Exhibit 1, an approximately one-minute-long video, begins by showing I.O. and Udezi in the bathroom; I.O. bends over to pick up a cell phone while holding onto Udezi’s shirt with her other hand. Udezi strikes I.O. many times and then holds her down on the floor. After allowing I.O. to stand up, Udezi holds I.O.’s arms behind her back and pushes her out of the bathroom. Udezi holds I.O. down on a bed, and exhibit 1 ends.

The video received as exhibit A runs about five minutes and includes the same sequence of events recorded in exhibit 1. Exhibit A begins about 30 seconds *before* the events shown in exhibit 1 and continues for about three minutes *after* the events shown in exhibit 1. Neither exhibit 1 nor exhibit A includes any audio recording.

In the first 30 seconds of exhibit A, Udezi and I.O. are talking while I.O. holds onto the front of Udezi’s shirt. Udezi sits down, and I.O. stands near him, still holding his shirt. I.O. moves one shoe away from Udezi and hits a cell phone out of Udezi’s hand. Exhibit A then continues with the same events shown in exhibit 1. As the exhibit 1 segment

concludes, exhibit A shows Udezi holding I.O. down on the bed. I.O. and Udezi then reenter the bathroom. I.O. talks to Udezi, holds onto the front of his shirt, hits him, and rips his shirt. There are some “skips” in exhibit A; for example, Udezi, I.O., and their child, who is crawling on the bathroom floor, are suddenly in different places.

Exhibit A was first presented to the district court on the second day of the trial as mentioned above. In proceedings outside the jury’s presence, Udezi offered exhibit A into evidence and the state objected. The district court stated that it was concerned because this was the first time Udezi disclosed exhibit A.

Udezi’s attorney argued that the district court should admit exhibit A because it affected Udezi’s “due process rights” and his ability to present “a complete defense,” generally alluding to self-defense. Udezi’s attorney also argued that, under the best-evidence rule, an entire recording should be presented. Also, according to Udezi, exhibit A is not more prejudicial than probative because it shows that I.O. was the initial aggressor and is relevant to I.O.’s credibility. The state argued that most of exhibit A showed events that occurred after the assault was over and thus was not relevant. The state also pointed out that there are “skips” during exhibit A, which suggests that exhibit A was cut.

The district court sustained the state’s objection to exhibit A. First, the district court determined “that the actions after the charged assault [and] . . . false imprisonment are not relevant for the purpose of self-defense [or] . . . negating the false imprisonment charge.” The district court also observed that the skips in exhibit A were “concern[ing].” The district court stated that Udezi had “three witnesses to testify . . . with regard to his self-defense

claim as well as to negate the false imprisonment charge.” And, finally, K.O. had testified at the omnibus hearing that exhibit 1 was accurate. The district court concluded that exhibit A would confuse the jury and excluded it.

B. Harmless-Error Analysis

While the parties’ briefs to this court discuss the district court’s evidentiary ruling in detail, we need not address it. Even if we assume, without deciding, that the district court abused its discretion by excluding exhibit A, we conclude that any error was harmless beyond a reasonable doubt.

“A criminal defendant has the right to a meaningful opportunity to present a complete defense.” *State v. Penkaty*, 708 N.W.2d 185, 201 (Minn. 2006); *accord* U.S. Const. amend. XIV, § 1; Minn. Const. art. I, § 7. “Evidentiary rulings of the district court will not be overturned absent a clear abuse of discretion, even when constitutional rights are implicated.” *State v. Pendleton*, 706 N.W.2d 500, 510 (Minn. 2005). Appellate courts “reverse only if the exclusion of evidence was not harmless beyond a reasonable doubt.” *State v. Zumberge*, 888 N.W.2d 688, 694 (Minn. 2017). Excluding evidence “is harmless only if the reviewing court is satisfied beyond a reasonable doubt that if the evidence had been admitted and the damaging potential of the evidence fully realized, a reasonable jury would have reached the same verdict.” *State v. Olsen*, 824 N.W.2d 334, 340 (Minn. App. 2012) (quotation omitted), *rev. denied* (Minn. Feb. 27, 2013).

Udezi argues that excluding exhibit A was an error justifying a new trial because he asserted self-defense. The district court gave a self-defense jury instruction: “[i]t is lawful for a person who is resisting an offense against his person and who has reasonable grounds

to believe that bodily injury is about to be inflicted upon the person, to defend from an attack” with the “force and means that person reasonably believes to be necessary.” In other words, to prove self-defense in a domestic-assault case, a defendant must prove that they used “reasonable force” to “resist an offense against the person” and had an “actual and honest belief that [they were] in imminent danger of bodily harm.” *State v. Lampkin*, 994 N.W.2d 280, 286, 288 (Minn. 2023) (emphasis omitted) (quotations omitted). Once a defendant raises self-defense at trial, “the state has the burden of disproving one or more of these elements beyond a reasonable doubt.” *State v. Basting*, 572 N.W.2d 281, 286 (Minn. 1997).

The state argues that “[a] reasonable jury would not, having viewed [exhibit A], conclude that Udezi was acting in self-defense when punching, hitting, and restraining the victim.” Udezi argues that excluding exhibit A was not harmless error because “there was a reasonable possibility that,” by excluding exhibit A, the defense was denied “exonerating evidence that bolstered [Udezi’s] self-defense claim” and that, therefore, excluding exhibit A “may have contributed to the conviction [by] its omission.”

We understand Udezi to argue that exhibit A corroborated K.O.’s testimony about I.O.’s aggressive conduct before the assault shown in exhibit 1. We agree that exhibit A supported K.O.’s testimony that I.O. pulled on Udezi’s shirt and hit his hand before Udezi assaulted I.O. We conclude, however, that the state met its burden to show that, had exhibit A been admitted, a reasonable jury would have rejected self-defense. Even if we assume that, after viewing exhibit A, a reasonable jury would find that Udezi was not the aggressor and I.O. was the aggressor, the state disproved the self-defense requirement that

Udezi had an “actual and honest belief” that he was “in imminent danger of bodily harm.” *Lampkin*, 994 N.W.2d at 288.

Our conclusion rests on Udezi’s testimony that he assaulted I.O. to get away from her because she was preventing him from leaving the bathroom and insulting him. Based on Udezi’s own testimony, he did not have an “actual and honest belief” that he was “in imminent danger of bodily harm.” *Id.* Because Udezi’s own testimony disproved one element of self-defense and exhibit A had no bearing on this element, we conclude that a reasonable jury would have reached the same verdict even if exhibit A had been admitted. Therefore, any error in the exclusion of exhibit A was harmless beyond a reasonable doubt.

III. The district court did not err by requiring that Udezi register as a predatory offender.

Udezi argues that the district court erred at sentencing by ordering that he register as a predatory offender. “A person shall register” as a predatory offender when “the person was charged with” false imprisonment “and convicted . . . for that offense or another offense arising out of the same set of circumstances.” Minn. Stat. § 243.166, subd. 1b(a)(2)(ii) (Supp. 2019). Accordingly, an individual who is charged with false imprisonment may have to register as a predatory offender, even if they are not convicted of false imprisonment. “[A] qualifying charge may trigger the registration requirement under Minn. Stat. § 243.166 only if it is supported by probable cause.” *State v. Haukos*, 847 N.W.2d 270, 274 (Minn. App. 2014).

At sentencing, Udezi argued that he should not be ordered to register as a predatory offender because the domestic-assault and false-imprisonment charges did not arise “out

of the same set of circumstances.” Minn. Stat. § 243.166, subd. 1b(a)(2)(ii). Udezi contends that the assault occurred before the alleged false imprisonment. Udezi similarly argues on appeal that (1) the domestic-assault conviction arose out of different circumstances than the false-imprisonment charge and (2) there was no probable cause for the false-imprisonment charge. We address each argument in turn.

A. The domestic-assault conviction and false-imprisonment charge arose out of the same set of circumstances.

The purpose of the offender registration requirement under Minn. Stat. § 243.166 is “to ensure that true predatory offenders cannot plead out of the registration requirements.” *State v. Lopez*, 778 N.W.2d 700, 704 (Minn. 2010). The registration requirement is limited, however, to “those charged with predatory offenses *and* convicted of another offense arising out of the same set of circumstances.” *Id.* at 705 (quotation marks omitted). “The same set of circumstances provision in the statute requires registration where the same general group of facts gives rise to both the conviction offense and the charged predatory offense.” *Id.* at 706. In other words, the offenses arise out of the same set of circumstances when they “overlap with regard to time, location, persons involved, and basic facts.” *Id.*

Udezi relies on two cases, which we consider in turn. In *Lopez*, the supreme court determined that registration was not appropriate for appellants who were convicted of drug offenses, which do not carry a registration requirement, and charged with but not convicted of kidnapping, which requires registration. *Id.* at 702, 707. Appellants sold drugs to a confidential informant and then were alleged to have kidnapped the informant ten days

later. *Id.* at 702. The supreme court determined that the connection between the drug offense and the kidnapping was too “tenuous” to require registration. *Id.* at 706-07.

In *State v. Berry*, the supreme court reversed a registration requirement for Berry, who was charged with kidnapping and false imprisonment, both of which require registration, and convicted of aiding her husband in evading arrest for those offenses, which does not require registration. 959 N.W.2d 184, 186, 191 (Minn. 2021). The supreme court determined that Berry’s “culpable conduct occurred after the completion of her husband’s crimes, in a car traveling over hundreds of miles of interstate highway,” and therefore Berry’s registration as a predatory offender was not appropriate. *Id.* at 191.

Udezi argues that, like Berry’s conviction for aiding the evasion of arrest, his domestic-assault conviction is separate in time from his false-imprisonment charge because the false imprisonment allegedly occurred after the assault and was unrelated to the assault. The state contends that “the offenses at issue are part of the same set of circumstances, involving the same parties, and occurring essentially simultaneously within a one minute and eleven second video.”

Exhibit 1 shows Udezi striking I.O. repeatedly while restraining her, then continuing to restrain her while he brings her out of the bathroom into another room. Because these events occurred only a few minutes apart and in two adjacent rooms, they overlap in time, location, persons involved, and basic facts. *See Lopez*, 778 N.W.2d at 706. The facts here differ from those in *Berry*, in which the convicted offense occurred after the charged offense was completed, “in a car traveling over hundreds of miles of interstate highway.” 959 N.W.2d at 191. Here, the charged and convicted offenses overlapped because Udezi

restrained I.O. in the bathroom while striking her. Therefore, the charged and convicted offenses arose from the same set of circumstances.

B. There was probable cause for the false-imprisonment charge.

“Probable cause is required for every element of the crime charged.” *State v. Suspitsyn*, 941 N.W.2d 423, 427 (Minn. App. 2020), *rev. denied* (Minn. May 27, 2020). To be guilty of false imprisonment, an individual must (1) intentionally (2) confine or restrain another person (3) without authority to do so and (4) without the person’s consent. Minn. Stat. § 609.255, subd. 2. “Probable cause exists if the facts appearing in the record . . . would preclude the granting of a motion for a directed verdict of acquittal if proved at trial.” *Suspitsyn*, 941 N.W.2d at 427 (quotation omitted). Appellate courts review “the application of the probable-cause standard to the facts de novo” and review “factual findings for clear error.” *Id.* “Probable cause exists where the facts would lead a person of ordinary care and prudence to entertain an honest and strong suspicion that the person under consideration is guilty of a crime.” *Haukos*, 847 N.W.2d at 274 (quotation omitted). When appellate courts review issues of probable cause, they “view the evidence and all resulting inferences in favor of the State.” *State v. Peck*, 773 N.W.2d 768, 770 n.1 (Minn. 2009).

Udezi refers to testimony from both the omnibus hearings and trial to argue that there was no probable cause for the false-imprisonment charge. Udezi cites no legal authority for this view of the relevant record. The state contends that, when making a probable-cause determination, appellate courts should consider only “evidence presented at the omnibus hearing, including the complaint,” and not “evidence presented at trial.”

We have addressed a similar issue in a nonprecedential opinion and determined that, when evaluating whether a charge is supported by probable cause, “we review the complaint—not the evidence presented at trial.” *Siegel v. Evans*, No. A24-0594, 2024 WL 4750882, at *4 (Minn. App. Nov. 12, 2024) (assessing caselaw and determining that, “when the defendant fails to file a motion to dismiss for lack of probable cause, we review the complaint—not the evidence presented at trial—to evaluate whether the charge was supported by probable cause”).

The reasoning in *Evans* is persuasive, and we apply it here, noting that the district court denied Udezi’s motion to dismiss the false-imprisonment charge for lack of probable cause after hearing evidence at an omnibus hearing. We therefore consider the complaint and the evidence from the omnibus hearing, but not the trial evidence, when determining whether there was probable cause for the false-imprisonment charge. Doing so is consistent with other caselaw. *See, e.g., Haukos*, 847 N.W.2d at 274-75 (considering the complaint in determining probable cause on appeal).

The amended complaint alleged that Udezi held I.O. on the ground while assaulting her and “restrain[ed] her movement,” then later “appear[ed] to put her in a headlock and picked her up to her feet and while restraining her, control[ed] I.O.’s movement back out of the bathroom to the adjoining bedroom where he pushe[d] her onto a bed then appear[ed] to hold her on the bed.” At the omnibus hearings, K.O. testified about exhibit 1, which was admitted and showed Udezi and I.O. in the bathroom as described above.

Udezi argues that there was no probable cause for false imprisonment because Udezi’s restraint of I.O. was brief, citing *State v. Dokken*, which reversed a conviction of

false imprisonment based on trial evidence. 312 N.W.2d 106, 108 (Minn. 1981). Udezi asserts that “the key holding” in *Dokken* was “that restraint without surrounding circumstances assuring the reviewing Court that the brief restraint was clearly objectional and against the will of the alleged victim.”

Dokken is distinguishable. First, the Minnesota Supreme Court in *Dokken* reviewed the sufficiency of the evidence, not probable cause, and it reversed on whether there was evidence that Dokken intended to confine the victim. *Id.* at 107. Udezi does not make the same argument in this appeal. Second, although the supreme court in *Dokken* noted that “[e]ach period of confinement was quite brief, lasting no more than a few minutes,” it also noted that the victim testified that he “never felt as if he were being held against his will” and “there [was] no evidence whatsoever to show that Dokken ever continued the restraint after the [victim] desired his release.” *Id.* at 108. While I.O.’s confinement was brief, the struggle between Udezi and I.O. depicted in exhibit 1 and described in the complaint shows that I.O. was held against her will.

Udezi also argues that there was no probable cause for false imprisonment because he acted in self-defense. One element of false imprisonment is that the accused restrains another without “lawful authority.” Minn. Stat. § 609.255, subd. 2. Udezi argues that, because he lawfully restrained I.O. in self-defense, the state lacked probable cause for the false-imprisonment charge. But appellate courts making probable-cause determinations “view the evidence and all resulting inferences in favor of the State.” *Peck*, 773 N.W.2d at 770 n.1. Looking at the evidence in this light, the facts and reasonable inferences were sufficient for someone of ordinary prudence to have a strong suspicion that Udezi did not

act in self-defense. Therefore, probable cause supported the state's charge of false imprisonment.

Because the false-imprisonment charge and domestic-assault conviction arose out of the same set of circumstances and there was probable cause to charge Udezi with false imprisonment, the district court did not err at sentencing by ordering that Udezi register as a predatory offender.

Affirmed.