

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1093**

State of Minnesota,
Respondent,

vs.

Victor Manuel Huitron,
Appellant.

**Filed July 28, 2025
Affirmed
Ross, Judge**

Dakota County District Court
File No. 19HA-CR-23-585

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

Kathryn M. Keena, Dakota County Attorney, Todd P. Zettler, Assistant County Attorney,
Hastings, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Davi E. Axelson, Assistant Public
Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Ross, Presiding Judge; Wheelock, Judge; and Jesson,
Judge.*

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

NONPRECEDENTIAL OPINION

ROSS, Judge

A jury found Victor Huitron guilty of two counts of criminal sexual conduct. Huitron appeals from his consequent conviction, arguing that the district court erroneously admitted excessively cumulative and unfairly prejudicial evidence of pet mistreatment and domestic abuse. Because the district court properly admitted the statutorily permitted relationship evidence whose probative value was not substantially outweighed by the danger of unfair prejudice, we affirm.

FACTS

In October 2022 two girls ages 16 and 17 reported to their mother that Victor Huitron, who had previously lived with them, sexually assaulted each of them when they were about 12 and 9 years old, respectively. Their mother confronted Huitron and relayed the girls' reports to the police. The girls recounted their experiences in forensic CornerHouse interviews preserved in video recordings. The state charged Huitron with first- and second-degree criminal sexual conduct.

Before trial, the state notified the district court that it intended to offer relationship evidence under Minnesota Statutes section 634.20 (2024), and Huitron moved the district court *in limine* to exclude any relationship evidence and to prohibit the state's witnesses from repeating prior, consistent statements, including video-recorded statements. He argued that the relationship evidence was unfairly prejudicial and minimally probative. The state maintained that the evidence of Huitron's physical abuse of household members, plus the past failure of authorities to protect household members from Huitron, would help the

jury understand why the children did not disclose the sexual abuse sooner. The district court granted the state's motion to admit relationship evidence, permitting the state to present evidence involving the girls and their mother. The district court cautioned the jury that it may hear relationship evidence, and it instructed the jury that it could not find Huitron guilty of the charged offenses based on evidence about other acts.

The older daughter, 18 years old at the time of trial, said that Huitron sexually assaulted her sometime when she was in 4th grade. She said she had gone to sleep in her mother's bed and woke up to the feeling of Huitron's hands moving her underwear before he moved his fingers on "the outer layer of [her] vagina." She testified that she was scared and did not move or scream and that after Huitron stopped, she went to the bathroom and then to the couch to wait for her mother to return home. She also spoke of Huitron's physical and verbal abuse, saying that he would hit her on the head with a closed fist and a spoon, and on the leg with a toy racetrack. She said that he targeted her other reporting sister, dragging her by the hair and treating her "like his personal maid." She testified too that she saw Huitron grab their mother by the neck and push her against the wall, and she said that their mother would side with Huitron against the girls. She left home to live with her grandmother.

The younger daughter, 17 years old at the time of trial, said that Huitron sexually assaulted her when she was in 6th or 7th grade. She recalled one morning when she was preparing for school while she and Huitron were alone in the house. Huitron had summoned her into the room that he shared with her mother. Huitron lay in bed in his underwear, and he lifted the covers to signal for her to lie next to him. When she complied, Huitron began

touching her. Asked where, she answered, “My breasts and my -- my vagina.” Huitron first put his hand under her shirt and touched her breasts. He moved his hand downward and inserted “[h]is hands and his fingers” into her vagina. After the assault, Huitron took her to McDonald’s before dropping her off at school. The younger daughter also testified that Huitron would “hit us a lot.” He used “[h]is belt or anything that he [could] get his hands on” and slapped her when she refused to make him breakfast. She testified that the girls’ mother allowed Huitron to return to the house even after child-protection workers became involved. She said that their mother suggested she leave the house for arguing with Huitron.

This daughter also briefly testified about Huitron’s interaction with pets. She said, “I didn’t like how he always got mad at them or, like, hit them if he had to sleep.” She added, “I also didn’t like how he -- I had a dog named Chapo at that house, and I know he just dumped him in the middle of a road somewhere.”

The girls’ mother testified about Huitron’s relationship with them. She said that Huitron had grabbed her by the throat and slammed her against the floor. She said that she knew Huitron harmed the girls. She recounted when she learned from the younger daughter that Huitron had sexually assaulted them.

The jury also heard from a Dakota County social worker, who testified about interviewing the children soon after the girls’ mother disclosed Huitron’s sexual assaults to police. Jurors viewed the girls’ recorded CornerHouse interviews. The recording included many of the same statements as their trial testimony. The younger daughter’s interview included details involving physical abuse, recounting that Huitron had dragged

her from the house by her hair and forced her to go to school and that he had choked her mother and slammed her against a wall.

Huitron did not testify or present evidence. The jury found him guilty on both counts and denied his subsequent motion for a new trial. The district court sentenced Huitron to serve 234 months in prison for the first-degree offense and to serve a concurrent term of 60 months for the second-degree offense.

Huitron appeals.

DECISION

Huitron argues that we must reverse his convictions based on the district court's evidentiary decisions. We review challenges to evidentiary rulings for an abuse of discretion. *Doe 136 v. Liebsch*, 872 N.W.2d 875, 879 (Minn. 2015). We see no abuse of discretion here.

Huitron argues specifically that the district court permitted “excessive amounts” of evidence of his prior bad acts. He contends specifically that the district court improperly admitted supposedly “irrelevant claims about his punishment and murder of dogs.” We have carefully read the trial testimony and found no account of any witness saying that Huitron engaged in “punishment and murder of dogs.” The only testimony we have found is the younger daughter's assertion, “I know he just dumped him in the middle of a road somewhere”—testimony that drew an immediately sustained objection on the ground of speculation. She briefly continued, saying she did not know where the dog “ended up” and she felt like he did not care about the dog. She offered a similar account during her CornerHouse interview, speculating that Huitron had left the dog in the street “to die”

somewhere while she was at school and then lied by saying he had given it to a family. She added that he had hit a different dog that she gave to her aunt to save from Huitron. We generally reject Huitron's murdered-dog argument because it is based on an exaggerated representation of the facts. We add that, for the reasons we outline below, the little evidence offered about his alleged mistreatment of dogs was relevant to the state's case against him.

Huitron contends that evidence about his alleged physical violence toward other household members "was excessive and cumulative." He relatedly maintains that it had little probative value and served mostly to impugn his character. Evidence of Huitron's interaction with household members is designated as generally admissible unless the risk of unfair prejudice, among other things, substantially outweighs its probative value:

Evidence of domestic conduct by the accused against the victim of domestic conduct, or against other family or household members, is admissible unless the probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issue, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

Minn. Stat. § 634.20. Huitron's complaint that "[i]t would have been natural for the jury to use the 'relationship evidence' to think that because [he] had been physically abusive to everyone in the household, he must have sexually abused [the girls]" is a risk involved in every sexual-assault case in which abusive-relationship evidence is admitted. The relationship evidence was probative here because it tended to support the state's theory that Huitron's intimidation instilled in the victims a fear that kept them from reporting the sexual assaults for years. Huitron on appeal argues that the state's theory was undercut by other evidence. But the state's alleged weakness on this case theory supports, rather than

undercuts, its probative value. And the district court mitigated the risk of improper use of the evidence by advising and repeatedly reminding the jury not to find Huitron guilty based on that evidence. Beyond making the general assertion of potential risk (and repeating his overstated charge that the jury heard evidence of his “assaultive and murderous behavior towards dogs”), Huitron’s limited arguments supporting his contention that the district court abused its discretion by admitting the relationship evidence fail. We therefore need not consider whether the allegedly erroneously admitted evidence prejudiced his defense by substantially influencing the jury’s verdict.

Huitron maintains that the evidence of his physical abuse of household members was excessive because the girls and their mother testified about their own abuse and also about the abuse of the other family members, and because the children “repeated some of their testimony and added additional acts of physical abuse” in the videos played for the jury. The physical-abuse allegations were neither lengthy nor graphic. We have explained their probative purpose and, after carefully reviewing the record, we are satisfied that to the limited extent some of the evidence might be described as cumulative, it was barely so and not needlessly cumulative. Huitron fails to convince us that the alleged danger of unfair prejudice from the challenged evidence substantially outweighed its probative value so as to render its admission an abuse of discretion.

We are not persuaded otherwise by Huitron’s argument that “the evidence of [his] alleged abuse of animals, including potentially killing . . . dog(s) did not qualify as domestic conduct.” We repeat that his characterization exaggerates the pet evidence, which was a comparatively small part of the testimony and the recorded interview of one of the victims.

Given that the legislature’s use of the phrase “but is not limited to” in the statutory definition of “domestic conduct” invites a broad interpretation, we are satisfied that evidence of mistreating family pets constitutes “[e]vidence of domestic conduct . . . against the victim of domestic conduct, or against other . . . household members.” Minn. Stat. § 634.20. The limited pet-abuse testimony supported the state’s proper argument that the children did not immediately report Huitron’s sexual assaults because he created an environment of fear and abuse.

In sum, Huitron’s arguments do not convince us that the district court abused its discretion by admitting the challenged evidence.

Affirmed.