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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1504**

State of Minnesota,
Respondent,

vs.

Jorge Luis Texta-Cipriano,
Appellant.

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

Hennepin County District Court
File No. 27-CR-22-17535

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

Mary F. Moriarty, Hennepin County Attorney, Robert I. Yount, Assistant County Attorney,
Minneapolis, Minnesota (for respondent)

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Considered and decided by Cochran, Presiding Judge; Reyes, Judge; and Schmidt,
Judge.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

On direct appeal after being convicted of two counts of fourth-degree criminal sexual conduct, appellant argues that he is entitled to a new trial because the district court abused its discretion by admitting relationship evidence. He also seeks reversal because

the district court plainly erred by incorrectly instructing the jury on the limited use of the relationship evidence. And he contends that the cumulative effect of the errors deprived him of a fair trial. Because we discern neither an abuse of discretion nor plain error affecting appellant's substantial rights, we affirm.

FACTS

In September 2022, respondent State of Minnesota charged appellant Jorge Luis Texta-Cipriano with two counts of fourth-degree criminal sexual conduct involving a victim with whom Texta-Cipriano had a significant relationship and who was at least 16 but less than 18 years old at the time of the sexual conduct, in violation of Minnesota Statutes section 609.345, subdivision 1a(f) (Supp. 2021). The complaint was based on allegations that Texta-Cipriano engaged in sexual contact with his stepdaughter, S.C., on two different days in May 2022. Texta-Cipriano pleaded not guilty.

Before trial, the state moved to introduce evidence of Texta-Cipriano's "similar conduct" involving S.C.'s older sister, Z.M., as relationship evidence under Minnesota Statutes section 634.20 (2020). Texta-Cipriano opposed the state's motion. In an oral ruling on the first day of trial, the district court granted the state's motion to admit the relationship evidence through Z.M.'s testimony.

At trial, six witnesses testified. The state called S.C., Z.M., a forensic interviewer, a detective, and a child-protection social worker. Texta-Cipriano called his wife, M.V., who is also the mother of S.C. and Z.M.

S.C. testified to the following. Texta-Cipriano married her mother, M.V., in 2018 or 2019 and moved into M.V.'s home around that time. Although S.C.'s biological father

had full legal and physical custody of S.C., S.C. often spent time at her mother's home. By 2022, when she was 16 years old, S.C. was sleeping at her mother and Texta-Cipriano's home on weeknights because they were better equipped than S.C.'s biological father to support S.C.'s participation in an outpatient mental-health program. S.C. slept on the living-room couch or floor when she stayed with them. Texta-Cipriano and M.V. left for work in the morning before S.C. needed to get up, and Texta-Cipriano often carried her to his bedroom so that she could continue sleeping in a bed.

S.C.'s "troubling interactions" with Texta-Cipriano began in May 2022, when she was 16 years old. According to S.C., the first interaction occurred after Texta-Cipriano transported her from the couch to his bedroom, as he typically did. After he set S.C. down on the bed, Texta-Cipriano rubbed his hand on S.C.'s thigh and buttock underneath her shorts, but over her underwear.

The second incident happened the next night while S.C. was preparing to fall asleep on the living-room floor. Texta-Cipriano laid down next to S.C. and asked her if she had a boyfriend and told her that she should never get married. Texta-Cipriano was close enough to S.C. that she could feel his breath on her ear. Then, Texta-Cipriano started touching her thigh and buttocks beneath her underwear. Texta-Cipriano also touched S.C.'s breasts underneath her clothing.

On cross-examination, defense counsel asked S.C. about inconsistencies between her trial testimony about the first incident and her prior statement during a forensic interview. S.C. testified that whatever she said in the forensic interview was correct and she "apologize[d] for any confusion."

Following S.C.'s testimony, the state called S.C.'s older sister, Z.M. Before Z.M. testified about the details of Texta-Cipriano's conduct, the district court cautioned the jury that Z.M.'s testimony could not be used to prove Texta-Cipriano's character or that he acted in conformity therewith and that Texta-Cipriano was being tried only for the two charges involving S.C.

After the instruction, Z.M. testified to the following. Z.M. was living with her mother, M.V., when Texta-Cipriano married M.V. and moved into her mother's house. Z.M. was 16 years old at the time. Texta-Cipriano did "inappropriate things" to her while he was living in M.V.'s house. Texta-Cipriano once told Z.M. that "he wanted [her] to take [her] pants off for him." Texta-Cipriano also touched her inappropriately when she was 16 or 17 years old. On that occasion, Z.M. was home from school because she was sick. Texta-Cipriano offered to "check [her] chest." While Texta-Cipriano checked her chest, he "put his hand further down than it needed to be" and touched "the middle chest and then went towards [her] breast." Z.M. kept the incident to herself until S.C. told her about Texta-Cipriano's conduct.

The state's other witnesses—the forensic interviewer, detective, and child-protection social worker—testified about S.C.'s disclosures of Texta-Cipriano's conduct and the ensuing investigation. As part of the investigation, S.C. accompanied the detective and the social worker to a forensic interview. The state introduced a recording of S.C.'s forensic interview as an exhibit at trial, which was played for the jury.

After the state rested, Texta-Cipriano called his wife, M.V. At the time of trial, M.V. and Texta-Cipriano were separated but still married. M.V. testified that she had never

witnessed Texta-Cipriano touching S.C. and she had no concerns about Texta-Cipriano touching S.C. M.V. testified that S.C. did not like Texta-Cipriano because “she always thought that [M.V.] left [S.C.’s] dad because of him.” M.V. added that S.C. always seemed jealous when M.V. gave attention to Texta-Cipriano.

After both parties rested, the district court reviewed the proposed jury instructions with the parties outside the presence of the jury. Neither party objected to the instructions. The district court then called the jury back and read the instructions. The district court once again provided a limiting instruction on the evidence of Texta-Cipriano’s conduct against Z.M. The district court told the jury that the evidence “was admitted for a limited purpose, and that’s to assist [the jury] in determining whether Mr. Texta-Cipriano committed those acts with which he’s charged in this case.” As before, the district court instructed the jury that Texta-Cipriano was on trial only for the offenses charged and that the evidence of other acts involving Z.M. could not be used to prove Texta-Cipriano’s character.

The parties then made their closing arguments. During the state’s argument, the prosecutor asserted that “a big thing is the defendant obviously also sexually abused another one of his stepdaughters, [Z.M.]” The prosecutor argued this fact was important because “we can put into context how the defendant treats teenage girls in his family.” Defense counsel objected to this argument, which prompted the district court to remind the jury that “the evidence with regard to [Z.M.] is offered only for the limited purpose” and that Texta-Cipriano could not be “convicted for any other offense that may have been committed or any other conduct that’s alleged.” The prosecutor clarified for the jury that

Texta-Cipriano was not on trial for the alleged conduct involving Z.M., but that the jury could “use that [evidence] to assist . . . in determining whether he committed this offense.”

In closing, defense counsel primarily focused on S.C.’s credibility. Defense counsel discussed S.C.’s dislike for Texta-Cipriano, the fact that S.C. saw her mother less often after she married Texta-Cipriano, S.C.’s “ongoing mental health crisis,” and the inconsistencies between S.C.’s trial testimony and her forensic interview.

The jury found Texta-Cipriano guilty of both counts of fourth-degree criminal sexual conduct. The district court convicted Texta-Cipriano of each count and sentenced him to a stay of imposition for three years with 90 days to be served in local confinement.

Texta-Cipriano appeals.

DECISION

Texta-Cipriano contends he is entitled to a new trial because the district court abused its discretion by admitting Z.M.’s unduly prejudicial testimony as relationship evidence. He also argues that he is entitled to a new trial because the district court plainly erred by failing to instruct the jury accurately on the proper use of Z.M.’s testimony. Texta-Cipriano contends that these errors, either considered separately or cumulatively, deprived him of a fair trial. We address each argument in turn, concluding that Texta-Cipriano’s arguments do not warrant reversal.

I. The district court did not abuse its discretion by admitting Z.M.’s testimony as relationship evidence.

Texta-Cipriano first challenges the district court’s admission of evidence that he inappropriately touched Z.M. We will not reverse a district court’s evidentiary ruling

absent a clear abuse of discretion. *Dolo v. State*, 942 N.W.2d 357, 362 (Minn. 2020). “A district court abuses its discretion when its decision is based on an erroneous view of the law or is against logic and the facts in the record.” *State v. Vangrevenhof*, 941 N.W.2d 730, 736 (Minn. 2020). “[W]e largely defer to the [district] court’s exercise of discretion in evidentiary matters and will not lightly overturn a [district] court’s evidentiary ruling.” *Dolo*, 942 N.W.2d at 362 (quotation omitted).

The district court admitted the challenged evidence under Minnesota Statutes section 634.20. This statute governs the admissibility of “[e]vidence of domestic conduct by the accused against the victim of domestic conduct, or against other family or household members.” Minn. Stat. § 634.20. Evidence offered under section 634.20 is known as “relationship evidence.” *State v. Zinski*, 927 N.W.2d 272, 273 (Minn. 2019). Section 634.20 is an exception to the general rule that evidence of a defendant’s prior, unrelated act is inadmissible. *See State v. Spreigl*, 139 N.W.2d 167, 169-70 (Minn. 1965); *see also* Minn. R. Evid. 404(b).

Under section 634.20, evidence of “domestic conduct” by the accused against other family or household members is presumptively admissible and may be excluded only if the evidence’s “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. “Domestic conduct” includes, but is not limited to, “domestic abuse” as defined by Minnesota Statutes section 518B.01 (2020). *Id.* And section 518B.01’s definition of “domestic abuse” includes criminal sexual conduct. Minn. Stat. § 518B.01, subd. 2(a).

“[T]he rationale for admitting relationship evidence under section 634.20 is to illuminate the relationship between the defendant and the alleged victim and to put the alleged crime in the context of that relationship.” *State v. Valentine*, 787 N.W.2d 630, 637 (Minn. App. 2010), *rev. denied* (Minn. Nov. 16, 2010).

Texta-Cipriano does not dispute that Z.M.’s testimony is evidence of “domestic conduct” that is presumptively admissible as relationship evidence under section 634.20. Instead, Texta-Cipriano argues that Z.M.’s testimony was inadmissible because its probative value was substantially outweighed by its risk of unfair prejudice. According to Texta-Cipriano, the relationship evidence had little probative value and carried a substantial risk of unfair prejudice because it served as “improper character and propensity evidence.” We are not persuaded.

Probative Value

Texta-Cipriano understates the probative value of Z.M.’s testimony. Evidence has probative value “when it, in some degree, advances the inquiry.” *State v. Schulz*, 691 N.W.2d 474, 478 (Minn. 2005); *see also* Minn. R. Evid. 401 (defining “[r]elevant evidence” as “evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence”). We recognized in *Valentine* that “evidence showing how a defendant treats his family or household members . . . sheds light on how the defendant interacts with those close to him, which in turn suggests how the defendant may interact with the victim.” 787 N.W.2d at 637. Z.M.’s testimony about Texta-Cipriano’s prior

conduct is probative because it contextualizes S.C.’s allegations and helps explain how Texta-Cipriano interacts with his teenage stepdaughters.

Section 634.20 relationship evidence is also relevant when it assists the jury with making witness-credibility determinations. *See State v. McCoy*, 682 N.W.2d 153, 161 (Minn. 2004) (affirming the admission of relationship evidence that “assisted the jury by providing a context with which it could better judge the credibility of the principals in the relationship”); *see also State v. Lindsey*, 755 N.W.2d 752, 757 (Minn. App. 2008) (deciding that the relationship evidence in that case “had significant probative value in assisting the jury to judge witness credibility”), *rev. denied* (Minn. Oct. 29, 2008). At trial, Texta-Cipriano attempted to discredit S.C.’s allegations by (1) pointing out inconsistencies between her trial testimony and prior statements, (2) calling S.C.’s mother, M.V., to testify that she had observed no misconduct by Texta-Cipriano and that S.C. was jealous of Texta-Cipriano, and (3) emphasizing S.C.’s ongoing mental-health issues, which predated the alleged incidents. Given Texta-Cipriano’s attacks on S.C.’s credibility, Z.M.’s testimony had significant probative value because it assisted the jury with evaluating S.C.’s credibility.

We are not persuaded otherwise by Texta-Cipriano’s argument that the challenged evidence was “minimally relevant” because the evidence was not necessary for the state to prove its case or establish S.C.’s credibility. As a preliminary matter, a district court is not required to “engage in an independent analysis of the state’s need for section 634.20 evidence before it is admitted.” *State v. Bell*, 719 N.W.2d 635, 639 (Minn. 2006). Instead, the need for such evidence “is naturally considered as part of the assessment of the

probative value versus prejudicial effect of the evidence.” *Id.* Texta-Cipriano argues that the relationship evidence had minimal probative value in terms of establishing S.C.’s credibility because S.C.’s credibility was already bolstered by her prior consistent statements during her forensic interview. But Texta-Cipriano attacked the consistency of those same statements at trial. Texta-Cipriano also disregards his challenges to S.C.’s credibility based on her mental health and M.V.’s testimony. Because Texta-Cipriano’s defense called S.C.’s credibility into question, the state’s need for Z.M.’s testimony increased, rather than diminished, its probative value.

Risk of Unfair Prejudice

The district court determined that the probative value of the relationship evidence was not outweighed by the risk of unfair prejudice. We discern no abuse of discretion by the district court.

“[U]nfair prejudice is not merely damaging evidence, even severely damaging evidence; rather, unfair prejudice is evidence that persuades by illegitimate means, giving one party an unfair advantage.” *Id.* at 641 (quotation omitted). Texta-Cipriano argues that the evidence unfairly prejudiced him by casting him “as a predatory character with a propensity to abuse his teenage stepdaughters.” But Z.M.’s testimony about Texta-Cipriano’s prior act was brief, spanning roughly four pages of more than 400 pages of trial transcript. And the district court provided multiple cautionary and limiting instructions regarding the evidence of Texta-Cipriano inappropriately touching Z.M. While those instructions were not completely accurate as discussed below in Section II, the district court did correctly instruct the jury that the relationship evidence could not be used as propensity

evidence or to convict Texta-Cipriano based on that conduct. Consequently, those instructions “lessened the probability of undue weight being given by the jury to the evidence.” *State v. Kennedy*, 585 N.W.2d 385, 392 (Minn. 1998).

We also note that the evidence supporting Texta-Cipriano’s convictions of the charged offenses was strong. *See State v. Barnslater*, 786 N.W.2d 646, 653 (Minn. App. 2010) (discussing the strength of the state’s evidence when assessing the risk of unfair prejudice posed by relationship evidence). The guilty verdicts reflect that the jury credited S.C.’s testimony about two separate instances of Texta-Cipriano’s sexual misconduct. And Texta-Cipriano admits that S.C. “was not a reluctant witness, she did not recant her allegations, and she did not testify inconsistently.” The record also reflects that S.C. promptly disclosed the incidents to multiple people, including her sister and her therapist.

On this record, it is unclear that Z.M.’s brief testimony about Texta-Cipriano’s conduct was unfairly prejudicial, let alone that its risk of unfair prejudice *substantially* outweighed its probative value. Accordingly, the district court did not abuse its discretion by admitting Z.M.’s relationship-evidence testimony.

II. The district court’s erroneous jury instructions did not affect Texta-Cipriano’s substantial rights.

Texta-Cipriano next argues that his convictions should be reversed because the district court gave the incorrect limiting instructions to the jury on the relationship evidence admitted at trial. Texta-Cipriano concedes that he did not object to the instruction at trial,

and so our review is limited to whether the instructions were plainly erroneous.¹ To show plain error, an appellant must demonstrate (1) error that (2) is plain and (3) affected their substantial rights. *State v. Kelley*, 855 N.W.2d 269, 273-74 (Minn. 2014). Even if Texta-Cipriano satisfies these first three prongs, we “may correct the error only if it seriously affects the fairness, integrity, or public reputation of judicial proceedings.” *Id.* at 274 (quotation omitted).

District courts typically enjoy broad discretion in the provision of jury instructions. *Id.* “But a district court abuses that discretion if its jury instructions confuse, mislead, or materially misstate the law.” *Id.* In determining whether an instruction is plainly erroneous, we “review the jury instructions in their entirety to determine whether the instructions fairly and adequately explain the law of the case.” *State v. Milton*, 821 N.W.2d 789, 805 (Minn. 2012) (quotation omitted). And an erroneous jury instruction affects an

¹ The parties agree in their briefs that the plain-error standard applies. After the briefs were filed, this court issued a precedential decision in which it applied the harmless-error standard in a similar, but different circumstance. See *State v. Kocurek*, ___ N.W.3d ___, ___, 2025 WL 1679811, at *3-4 (Minn. App. June 16, 2025). In *Kocurek*, the district court provided *no* instruction on relationship evidence that was admitted over the defendant’s objection. *Id.* at *3. We held that a district court’s failure to provide any instruction on the use of relationship evidence is properly preserved for appeal by the defendant’s objection to the admission of the relationship evidence. *Id.* at *4. In so holding, this court applied the supreme court’s holding in *Zinski*, 927 N.W.2d at 278, which requires district courts to sua sponte instruct the jury on the proper use of relationship evidence that is admitted over the defendant’s objection. *Id.* And, because there was no instruction by the district court on the proper use of relationship evidence, we considered whether the district court abused its discretion in failing to instruct the jury. *Id.*

Here, unlike in *Kocurek*, the district court gave a cautionary instruction before the jury heard the relationship evidence. Consequently, we agree with the parties that the plain-error standard applies because Texta-Cipriano’s argument relates to whether the instruction was *proper* and not to whether it was *given*.

appellant's substantial rights when "there is a reasonable likelihood that giving the instruction in question had a significant effect on the jury's verdict." *State v. Watkins*, 840 N.W.2d 21, 28 (Minn. 2013).

Texta-Cipriano contends that the district court committed plain error by misstating the law on the permissible use of the relationship-evidence testimony when instructing the jury. When section 634.20 relationship evidence is admitted at trial, the district court must instruct the jury "on the proper use of such evidence." *Zinski*, 927 N.W.2d at 278. As discussed, the purpose of section 634.20 relationship evidence of a defendant's domestic conduct involving another member of his household is to "shed[] light on how the defendant interacts with those close to him, which in turn suggests how the defendant may interact with the victim." *Valentine*, 787 N.W.2d at 637. The pattern jury instruction for introducing section 634.20 relationship evidence reflects this caselaw, providing that such evidence is "offered for the limited purpose of demonstrating the nature and extent of the relationship between the defendant and [the household member] in order to assist you in determining whether the defendant committed those acts with which the defendant is charged in the complaint." 10 *Minnesota Practice*, CRIMJIG 2.04 (2024). The pattern instruction further cautions the jury against using relationship evidence for an impermissible purpose, such as to prove the defendant's character or as substantive evidence of the defendant's guilt of the charged offense. *Id.*

At trial, the district court gave the following limiting instruction before Z.M.'s testimony:

Okay. Members of the Jury, I'm told that you may be hearing evidence of alleged conduct by Mr. Texta-Cipriano on a different occasion than what we've been talking about here. This evidence *is offered for a limited purpose* and you can only use it for a limited purpose *and that's to assist you in determining whether or not Mr. Texta-Cipriano committed those acts with which he's charged in this case.* It's not—*this evidence is not to be used to prove his character* or that he acted in conformity with that character.

I would also note that *he's not being tried for and cannot be convicted of any offense* other than the two charges that are in this case. *To convict him in this case based upon any of the information that comes in now would be wrong and you're not to do that.*

(Emphasis added.)

The district court provided a similar limiting instruction when it instructed the jury before the parties' closing arguments:

You heard testimony of alleged conduct by Mr. Texta-Cipriano with regard to [Z.M.] on occasions separate from the allegations in this case. As I told you at the time that that evidence was offered, *it was admitted for a limited purpose*, and that's *to assist you in determining whether Mr. Texta-Cipriano committed those acts with which he's charged* in this case. That evidence *may not be used to prove the character of Mr. Texta-Cipriano, or that he acted in conformity with such character.*

Mr. Texta-Cipriano is not being tried for, and may not be convicted of any offense other than the charged offenses in this case. *You are not to convict Mr. Texta-Cipriano on the basis of any allegation involving [Z.M.]. To do so is not allowed and would simply be wrong.*

(Emphasis added.)

Lastly, during the state’s closing argument, the district court reminded the jury that Z.M.’s relationship-evidence testimony could be used “only to determine whether or not [Texta-Cipriano] committed the offenses that he’s charged with in this case, and he can’t be convicted for any other offense that may have been committed or any other conduct that’s alleged.”

Texta-Cipriano contends that none of the district court’s instructions accurately explained the specific, limited purpose for which the jury could consider the relationship evidence involving Z.M.—namely, to demonstrate the nature and extent of the relationship between Texta-Cipriano and Z.M. in order to assist the jury in determining whether Texta-Cipriano committed those acts with which he was charged. The state appears to concede that the district court committed error that was plain by giving an “incomplete instruction” regarding the relationship evidence admitted at trial. But the state disputes that the district court’s jury instructions affected Texta-Cipriano’s substantial rights because the incomplete instructions nonetheless provided “the critical” cautionary language that “admonished the jury against drawing improper inferences from Z.M.’s testimony.” Texta-Cipriano contends that this error affected his substantial rights because it “told the jury they could use the relationship evidence to determine whether [he] was guilty.”² We agree with the state.

² Texta-Cipriano also asserts that the instruction impermissibly “affected the jury’s assessment of S.C.’s credibility.” But helping the jury assess witness credibility is a proper purpose for section 634.20 relationship evidence. *See Lindsey*, 755 N.W.2d at 757. Thus, the jury’s reliance, if any, on Z.M.’s testimony to assess S.C.’s credibility was proper and did not unfairly prejudice Texta-Cipriano.

The district court's instructions—like the pattern instruction that Texta-Cipriano argues should have been given—expressly provided that the relationship evidence's limited purpose was “to assist” the jury in determining the defendant's guilt. *See* 10 *Minnesota Practice*, CRIMJIG 2.04. And the district court explicitly instructed the jury that it was “not to convict” Texta-Cipriano based on Z.M.'s allegations. Therefore, contrary to Texta-Cipriano's suggestion, the district court did not instruct the jury to use Z.M.'s allegations as substantive evidence of guilt.

Additionally, while the district court erred by not expressly instructing the jury on the proper use of the relationship evidence, the district court did caution the jury against using Z.M.'s testimony for an impermissible purpose. The district court warned the jury that Z.M.'s allegations could “not be used to prove the character of Mr. Texta-Cipriano, or that he acted in conformity with such character.” The district court also warned the jury that Texta-Cipriano was not being tried for any of the conduct alleged by Z.M. and that convicting him based on the conduct alleged by Z.M. “would be wrong.” This court has recognized that similar instructions, while incomplete, “alleviate[] much of the risk” that the defendant might be improperly convicted based on relationship evidence. *Barnslater*, 786 N.W.2d at 654. And, given the instructions that the jury received, the jury likely inferred that Z.M.'s testimony was admitted solely to shed light on how Texta-Cipriano interacts with his household members. *See Valentine*, 787 N.W.2d at 637 (noting that evidence of a defendant's domestic conduct involving his “family or household members” “[o]bviously” serves this purpose).

Further, when determining whether erroneous jury instructions affected an appellant's substantial rights, we may also consider the strength of the evidence supporting the conviction. *Barnslater*, 786 N.W.2d at 654. As discussed above, the state's evidence was strong, further supporting our conclusion that the district court's erroneous instructions did not affect Texta-Cipriano's substantial rights.

In sum, the district court's instructions, despite not fully explaining the proper purpose of relationship evidence, adequately cautioned the jury against using Z.M.'s testimony as substantive evidence of Texta-Cipriano's guilt or for any other improper purpose. And the state's evidence of Texta-Cipriano's guilt was strong. Accordingly, we conclude there is no reasonable probability that the incomplete instructions significantly affected the verdict. *See id.* at 653-54 (concluding that similar relationship-evidence instructions did not affect the appellant's substantial rights). Because Texta-Cipriano has failed to meet his burden under the third prong of the plain-error standard, we decline to order a new trial based on the incomplete jury instructions. *See Watkins*, 840 N.W.2d at 28.

III. Texta-Cipriano has not shown cumulative error warranting a new trial.

Lastly, Texta-Cipriano contends that the cumulative effect of the admission of the relationship evidence and the incomplete jury instructions warrants a new trial. "An appellant may be entitled to a new trial in rare cases where the errors, when taken cumulatively, have the effect of denying the appellant a fair trial." *State v. Fraga*, 898 N.W.2d 263, 278 (Minn. 2017) (quotation omitted). Texta-Cipriano asserts only two errors on appeal. As discussed in Section I, *supra*, the district court did not abuse its

discretion by admitting Z.M.'s testimony as relationship evidence. Accordingly, Texta-Cipriano cannot establish cumulative error.

Affirmed.