

*This opinion is nonprecedential except as provided by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
A24-1968**

In the Marriage of:

Hewan Michael Hundessa, petitioner,
Respondent,

vs.

Tesfa Bekele Balcha,
Appellant.

**Filed October 20, 2025
Affirmed; motion denied
Wheelock, Judge**

Hennepin County District Court
File No. 27-FA-23-2201

Samuel Walker, Walker Law Professional Corporation, Maple Grove, Minnesota (for respondent)

Tesfa Bekele Balcha, Brooklyn Park, Minnesota (pro se appellant)

Considered and decided by Wheelock, Presiding Judge; Larson, Judge; and Bentley, Judge.

NONPRECEDENTIAL OPINION

WHEELOCK, Judge

Appellant husband challenges the district court's determinations of division of marital assets and parenting-time schedule in the parties' divorce decree, arguing that many of the district court's factual findings constitute clear error. Because the record supports

the district court's findings, we affirm. We also deny respondent wife's motion to strike portions of husband's brief and addendum as moot.

FACTS

In 2023, respondent Hewan Michael Hundessa (wife) petitioned for dissolution of her marriage to appellant Tesfa Bekele Balcha (husband). The parties had been married for several years and have three minor children. Both parties worked throughout their marriage and own various assets and retirement accounts. Husband also invested substantial funds in the stock market throughout the parties' marriage, using several different brokerage accounts.

Husband represented himself before the district court. Counsel represented wife. The matter proceeded to a court trial. In advance of trial, the parties stipulated to the principal balance on their home mortgage. Because husband submitted his exhibits after the district court's exhibit-disclosure deadline, the district court determined that the exhibits were untimely and did not admit them into evidence. At trial, wife and husband both testified. Wife called husband to testify first; then wife testified; and after this, husband testified again.

The parties testified about several contested issues, including their marital assets, each disputing the information presented by the other. Husband alleged that wife owned a "minimum of 750 common Tesla [stock] shares" and that he did not have any Tesla stock. Although husband agreed that he had received proceeds from stock trading, he testified that he did not make a profit because he sold the stocks at a loss. And he testified that he would sell the marital home for \$340,000. In contrast, wife testified that the Tesla stock

that husband alleged she owned was part of her retirement account, which she had already disclosed to the district court; she asserted that husband had received roughly \$274,000 in proceeds from selling securities on the stock market over the last few years; and she submitted exhibits showing that the value of the marital home was estimated to be \$277,300.

When the district court asked him to explain the basis for his allegations about the Tesla stock, husband said that he based them on verbal discussions with wife and admitted that he had not seen any record of wife having Tesla stock. Throughout his testimony, husband contended that wife was not truthful about how much money she possessed. He also requested that the district court award him 73.5% of the marital home's equity. Because husband failed to timely submit exhibits, he provided a verbal explanation as to why he should be awarded 73.5% of the equity, attesting that 73.5% represented the amount of equity that he had contributed as payments on the mortgage.

With respect to custody of their children, wife requested sole physical and joint legal custody and husband requested sole legal and joint physical custody. Wife testified in detail during her direct examination about the children's needs and explained her understanding of the children's preferences regarding primary residence. Wife testified that, although she was seeking the dissolution of her marriage with husband, she was willing to communicate with him to facilitate the care of their children. During husband's direct examination, the district court questioned husband regarding the child-custody best-interests factors. In response, husband gave general answers to these questions about the children's needs, stating repeatedly that "they don't need anything special."

After the trial, the district court entered a judgment and decree resolving disputed issues. It credited wife's valuation of the home in the amount of \$277,300, finding that, after accounting for the parties' stipulated amount of outstanding principal, "the total marital equity in the marital homestead as of July 16, 2024, is \$260,788.73." The district court awarded wife "all right, title, and interest to the homestead" in the amount of \$277,300 and awarded husband his investment accounts, which it valued at \$274,000. The district court determined that this was fair because the values of these assets were comparable.

The district court's order also addressed custody and parenting time and explained its rationale supporting these determinations. After considering each parent's testimony, the district court concluded that it is in the best interests of their minor children for wife to have sole physical custody of the children; however, the district court concluded that the parents should have joint legal custody. The district court also awarded husband parenting time, stating that the children will "receive a minimum of 25 percent parenting time with [husband]," and established alternating parenting-time schedules for holidays and the children's birthdays.

Husband appeals.

DECISION

I. The district court did not clearly err in its findings of fact because they are supported by the record.

Husband challenges several of the district court's factual findings as to the parties' assets and the best interests of the children.¹

"That the record might support findings other than those made by the [district] court does not show that the court's findings are defective." *Vangsness v. Vangsness*, 607 N.W.2d 468, 474 (Minn. App. 2000); see *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 223 (Minn. 2021) (stating that, if "the record reasonably supports the findings at issue on appeal, it is immaterial that the record might also provide a reasonable basis for inferences and findings to the contrary" (quotation omitted)). To successfully challenge a district court's findings of fact, "the party challenging the findings must show that despite viewing that evidence in the light most favorable to the [district] court's findings . . . , the record still requires the definite and firm conviction that a mistake was made." *Vangsness*, 607 N.W.2d at 474; see *Tornstrom v. Tornstrom*, 887 N.W.2d 680,

¹ In his self-represented brief, husband primarily complains that the district court's findings are unfair and challenges the credibility determinations that the district court made when presented with conflicting information. Appellate courts defer to the district court's credibility determinations. *Sefkow v. Sefkow*, 427 N.W.2d 203, 210 (Minn. 1988) (citing Minn. R. Civ. P. 52.01). To the extent that husband attempts to make additional arguments in his brief, he neither adequately articulates those arguments nor provides any legal support for them. Because husband has inadequately briefed these arguments and error is never presumed on appeal, we do not consider his vague assertions that the district court erred. See *Schoepke v. Alexander Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (Minn. 1971); *Loth v. Loth*, 35 N.W.2d 542, 546 (Minn. 1949).

683-84 (Minn. App. 2016) (explaining this court’s role in reviewing a district court’s findings of fact), *rev. denied* (Minn. Feb. 14, 2017).

Marital Assets

Husband challenges the district court’s valuation of his assets, arguing that, because the district court relied on the sales price of his investments as shown on his tax return (“proceeds”) to value them when they had been sold at a loss, the values were “manipulatively inflated.” Husband also argues that wife owned Tesla stocks that were not reflected in the valuation of her assets.

We are not persuaded that the record demonstrates that the district court clearly erred here. It is unfortunate that husband lost money trading stocks; however, the proceeds value on his tax return represented the money he possessed after selling those securities. Therefore, the district court’s reliance on that amount when valuing husband’s assets was not improper.

Husband also makes many references to wife’s alleged possession of “750 shares of Tesla stock” and appears to argue that wife admitted that she possessed this stock during his cross-examination of her and the district court erred by disregarding her admission. On cross-examination, husband asked wife if she possessed other funds that she had not disclosed to the district court. Wife appeared to explain that she had already disclosed her retirement account, but she did not clearly answer husband’s question.

Q: I think you indicated your Tesla or also mentioned were you sharing that your ownership of investment in the form of Tesla common shares is in the retirement account now?

A: Yes.

THE COURT: Next question.

Q: Okay. Just related to this one—and my understanding is—that at least you own 750 common shares in the form of Tesla shares. Is that still right?

A: No.

When husband asked wife about these stocks a few more times, her attorney objected to those questions, and the district court sustained those objections. But husband does not challenge those evidentiary rulings on appeal. Later, during husband’s direct examination, the district court asked husband to explain the basis for his allegation that wife owned 750 common shares of Tesla stock. Husband explained that he was relying on verbal communications between him and wife and had not seen any record of the purported stock ownership.

As we explained above, to successfully challenge a district court’s findings of fact, a party “must show that despite viewing that evidence in the light most favorable to the [district] court’s findings . . . , the record still requires the definite and firm conviction that a mistake was made.” *Vangness*, 607 N.W.2d at 474. Here, because husband has not shown that the district court’s findings relative to his allegations of wife owning 750 common shares of Tesla stock constitute clear error and the record supports the district court’s division of marital assets, we reject husband’s arguments.

Custody

Husband also argues that the district court “misstated” and did not understand his testimony about his children; specifically, husband says that the district court did not ask for elaboration with respect to husband’s answers about the children’s needs. To the contrary, the record shows that the district court asked for elaboration and clarification by

directing follow-up questions to husband when he presented his case, particularly when his answers were cursory.

In making this argument, husband also contends that wife made several misrepresentations about the needs of the minor children and their relationship or attitude towards husband. Husband's contention that wife misrepresented facts is unavailing because appellate courts defer to the district court's credibility determinations. *See Kenney*, 963 N.W.2d at 221-22; *Sefkow*, 427 N.W.2d at 210. Here, wife testified as to the children's needs, the district court credited her testimony, and the district court's findings comport with wife's testimony.

Finally, in the conclusion section of his brief, husband makes seven enumerated requests with neither legal support nor citations to the record. But because husband provides neither legal nor factual rationales for these arguments, he has forfeited them. *See Schoepke*, 187 N.W.2d at 135; *Scheffler v. City of Anoka*, 890 N.W.2d 437, 451 (Minn. App. 2017) (noting that a party forfeits a claim by failing to support it with authority), *rev. denied* (Minn. Apr. 26, 2017); *see also State Dep't of Lab. & Indus. by Special Comp. Fund v. Wintz Parcel Drivers, Inc.*, 558 N.W.2d 480, 480 (Minn. 1997) (declining to address inadequately briefed question); *Brodsky v. Brodsky*, 733 N.W.2d 471, 479 (Minn. App. 2007) (applying *Wintz* to an appeal of a marriage-dissolution judgment).

II. Wife’s motion to strike is denied as moot.

We now turn to wife’s motion to strike. Wife identified five items in husband’s addendum that she asserts are not included in the record on appeal.² The appellate record consists of only documents filed in the district court, offered “exhibits, and the transcript of the proceedings.” Minn. R. Civ. App. P. 110.01; *see In re Nelson*, 495 N.W.2d 200, 202, 204 (Minn. 1993) (ruling this court should not have considered a letter sent to district court after it made the ruling at issue on appeal). We may not consider or base our decision on matters outside of the record. *ALL, Inc. v. Hagen*, 970 N.W.2d 681, 688 (Minn. App. 2021). When we do not rely on challenged materials in reaching a decision, we may deny a motion to strike them as moot. *Id.* (citing *Drewitz v. Motorwerks Inc.*, 728 N.W.2d 231, 233 n.2 (Minn. 2007)); *see also Justice v. Marvel, LLC*, 979 N.W.2d 894, 903 n.9 (Minn. 2022).

Here, we do not rely on the challenged portions of husband’s brief and addendum in reaching our decision. Because our analysis does not rely on these materials, we deny wife’s motion to strike as moot.

Affirmed; motion denied.

² While we deny wife’s motion as moot, we observe that several of the allegedly extra-record materials were, in fact, present in the appellate record.