

*This opinion is nonprecedential except as provided by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
A24-1978**

Jeramy John Wharton, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed September 2, 2025
Affirmed
Cochran, Judge**

Kandiyohi County District Court
File No. 34-CR-20-866

Cathryn Middlebrook, Chief Appellate Public Defender, Gina D. Schulz, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Keith Ellison, Attorney General, Peter Magnuson, Assistant Attorney General, St. Paul, Minnesota; and

Shane Baker, Kandiyohi County Attorney, Willmar, Minnesota (for respondent)

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

NONPRECEDENTIAL OPINION

COCHRAN, Judge

This appeal is from an order denying postconviction relief from a conviction of second-degree criminal sexual conduct. Appellant argues that we should reverse the postconviction court's summary denial and remand for a new trial because: (1) the district

court abused its discretion by admitting certain evidence as relationship evidence under Minnesota Statutes section 634.20 (2024), (2) the prosecutor committed misconduct during questioning of a witness, and (3) the cumulative effect of the errors deprived him of a fair trial. We affirm.

FACTS

In September 2020, respondent State of Minnesota charged appellant Jeramy John Wharton with four counts of second-degree criminal sexual conduct (CSC). The complaint alleged that Wharton sexually abused L.S., his daughter, sometime between 2005 and 2007 and again sometime between 2011 and 2014. *See* Minn. Stat. §§ 609.343 (2004); 609.343 (2010). The complaint included two counts for conduct involving a complainant under the age of 13 and an actor more than 36 months older, and two counts for conduct involving a complainant under the age of 16 and an actor with whom the complainant had a significant relationship. *See* Minn. Stat. § 609.343, subd. 1(a), (g). The state filed two amended complaints adding three additional counts of second-degree CSC, including a charge of second-degree CSC based multiple acts occurring between January 2005 and November 2014 with a complainant under the age of 16 with whom the actor had a significant relationship in violation of Minnesota Statutes section 609.343, subdivision 1(h)(iii).

The district court held a two-day jury trial in March 2022. At trial, the state presented testimony from five witnesses, including L.S., L.S.'s sister, Wharton's ex-wife, Wharton's cousin, and an investigating police officer. Wharton did not testify.

L.S. testified as follows. L.S. is Wharton's biological daughter, born in 1998. Wharton sexually abused her over a period of several years, beginning around when she

was about ten years old. L.S. described five separate instances of sexual abuse. She told the jury that the first incident occurred when she was staying at Wharton's home for the weekend in the Regency Estates West trailer park. L.S. primarily lived with her mother, but visited her father's home on the weekends. During the first incident, L.S. was sleeping on a couch at Wharton's home. She woke up to Wharton "on the couch," touching her vagina over her clothing. She did not say anything while this happened because she was confused. The second incident occurred at the same residence but in a bedroom where L.S. stayed at Wharton's home. While she was trying to nap, Wharton came into the bedroom and "started touching" her vagina. On the third occasion, when L.S. was about 13 years old, Wharton told L.S. to "lift up [her] shirt" so he could see her breast size. L.S. stated that Wharton then "[g]rop[ed]" her breasts after she lifted her shirt. During the fourth incident, Wharton went into L.S.'s bedroom at night and touched her vagina over her underwear. L.S. testified that the fifth incident occurred when Wharton came into the bathroom while she was showering. L.S. stated that Wharton "had [her] exit the shower and lay on the floor and proceeded to shave [her] vagina." L.S. reported the sexual abuse to the police in 2019 after she "found out that [her] youngest sister had been through the same thing." She told police that Wharton moved from one trailer park to another during the time period when the abuse occurred.

The jury also heard testimony from L.S.'s younger sister, M.B. Wharton is M.B.'s father. M.B. testified that Wharton touched her breasts and vagina when she was about 11 years old. According to M.B., she was staying at her father's house during the summer of 2013. She had cut her leg and went into her father's room to ask for help. Wharton "pulled

[her] over onto the bed” so that she was lying on her side next to him. At that point, Wharton touched her breasts with one hand and touched her vagina beneath her underwear with his other hand. In response to a question from the prosecutor, M.B. confirmed that Wharton was convicted of second-degree CSC for these acts. *See State v. Wharton*, No. A22-0744, 2023 WL 2637378, at *1 (Minn. App. Mar. 27, 2023).

Wharton’s ex-wife and his cousin also testified. Wharton’s ex-wife lived with Wharton from 2003 until late 2012 or early 2013. She testified that she was present during the incident when Wharton shaved L.S.’s genital area and believed that L.S. was about 13 or 14 years old at the time. Wharton’s cousin lived with Wharton for about two years, before moving out sometime in 2017. He recalled hearing Wharton tell L.S. to lift up her shirt.

A police detective, who investigated L.S.’s allegations after she reported them to police in 2019, testified as well. During the 2019 investigation, L.S. reported “[m]ultiple different incidences of sexual assault that happened years ago by her father.” According to the detective, L.S. told him that Wharton touched her vagina over her clothes, put his hand down her pants and tried to push her legs apart, told her to lift up her shirt to check her breast size, and touched her breasts. The detective did not recall L.S. reporting that Wharton shaved her pubic area. But the detective did not consider this unusual because he noted that victims sometimes make subsequent disclosures after an initial interview or delay reporting childhood sexual abuse. The detective also testified about his research into the locations where the alleged incidents of abuse occurred.

The jury found Wharton guilty of all seven counts. The district court entered a conviction for second-degree CSC, significant relationship with a minor under 16 years of age, for multiple acts over an extended period of time. The district court did not adjudicate the remaining six counts, which were included offenses. The district court imposed a 44-month prison sentence.

Wharton subsequently filed a timely petition for postconviction relief. He asserted that: (1) the district court abused its discretion by admitting evidence that he was criminally convicted of a similar offense against M.B.; (2) the prosecutor committed plain, reversible misconduct by eliciting evidence of Wharton's prior contact with the police; and (3) the errors individually or cumulatively violated his right to a fair trial. The postconviction court denied Wharton's petition without an evidentiary hearing.

Wharton appeals.

DECISION

A person convicted of a crime may seek relief by filing a petition claiming that the conviction "violated the person's rights under the Constitution or laws of the United States or of the state." Minn. Stat. § 590.01, subd. 1(1) (2022). "The person seeking postconviction relief bears the burden of establishing by a preponderance of the evidence that his claims merit relief." *Crow v. State*, 923 N.W.2d 2, 10 (Minn. 2019). The postconviction court must hold an evidentiary hearing on the petition "[u]nless the petition and the files and records of the proceeding conclusively show that the petitioner is entitled to no relief." Minn. Stat. § 590.04, subd. 1 (2022). When determining whether the petitioner is entitled to an evidentiary hearing, the postconviction court is required to

consider the facts alleged in the petition as true and construe them in the light most favorable to the petitioner. *Andersen v. State*, 913 N.W.2d 417, 422-23 (Minn. 2018).

We review the summary denial of a postconviction petition without an evidentiary hearing for an abuse of discretion. *State v. Nicks*, 831 N.W.2d 493, 503 (Minn. 2013). “A postconviction 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.” *Brown v. State*, 895 N.W.2d 612, 617 (Minn. 2017) (quotation omitted). We review factual findings for clear error and legal conclusions de novo. *Martin v. State*, 825 N.W.2d 734, 740 (Minn. 2013).

Wharton argues that the postconviction court abused its discretion when it denied his petition for a new trial. In support, Wharton reiterates the arguments that he made in his postconviction petition. First, he contends that the district court abused its discretion by admitting relationship evidence at trial. Second, he claims that the prosecutor committed reversible error by eliciting testimony that police officers had prior contact with Wharton or his family members. Third, he asserts that these errors, taken either individually or cumulatively, deprived him of a fair trial. Wharton’s arguments are unavailing.

I. The postconviction court did not abuse its discretion by denying a new trial based on the admission of relationship evidence under Minnesota Statutes section 634.20.

Wharton first argues that the postconviction court abused its discretion when it concluded that relief was not warranted based on the district court’s decision to admit, as relationship evidence, M.B.’s testimony that Wharton had sexually abused her as a child and that Wharton was convicted of CSC as a result. We discern no abuse of discretion by

the postconviction court in denying Wharton a new trial based on the district court's admission of this testimony as relationship evidence.

In general, testimony about criminal activity unrelated to the crime for which a person is on trial is inadmissible. *See State v. Spreigl*, 139 N.W.2d 167, 169 (Minn. 1965). But the district court may allow the state to present “[e]vidence of domestic conduct by the accused against the victim of domestic conduct, or against other family or household members,” commonly referred to as “relationship evidence.” Minn. Stat. § 634.20; *State v. Matthews*, 779 N.W.2d 543, 549 (Minn. 2010). “Domestic conduct” includes “domestic abuse,” which is defined to include “physical harm, bodily injury, or assault,” the “infliction of fear of imminent physical harm,” and CSC. Minn. Stat. §§ 634.20, 518B.01, subd. 2 (2024). Relationship evidence “*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 (emphasis added).

A district court's decision to admit evidence under section 634.20 as relationship evidence is reviewed for an abuse of discretion. *State v. Andersen*, 900 N.W.2d 438, 441 (Minn. App. 2017). “A district court abuses its discretion when it has exercised its discretion in an arbitrary or capricious manner, based its ruling on an erroneous view of the law, or made clearly erroneous factual findings.” *Martin v. State*, 969 N.W.2d 361, 363 (Minn. 2022) (quotation omitted). A defendant must show that the evidence substantially influenced the jury's verdict to warrant reversal of a conviction. *State v. Benton*, 858 N.W.2d 535, 541 (Minn. 2015).

Prior to trial, the district court granted the state's motion to admit evidence that Wharton was convicted of second-degree CSC against M.B. as relationship evidence.¹ The district court granted the motion, determining that the evidence was probative because it showed how Wharton treated M.B., "which sheds light on how [Wharton] interacts with those closest to him (and daughters in particular), which in turn suggests how [Wharton] may interact with [L.S.]." The district court further found that the probative value of the evidence was not substantially outweighed by the danger of unfair prejudice "because, even if severely damaging to [Wharton], it [did] not persuade by illegitimate means."

At trial, the district court permitted M.B. to testify to Wharton's sexual conduct underlying his previous conviction for sexually assaulting her and to the conviction itself. As discussed above, M.B. testified that Wharton touched her breasts and vagina beneath her underwear when she was about 11 years old and staying in his home. The prosecutor then asked M.B., "Was [Wharton] convicted of what he did to you?" M.B. responded, "Yes."

In his postconviction petition, Wharton argued that the district court abused its discretion by admitting this testimony as relationship evidence. He argued that the testimony was not admissible as relationship evidence because the testimony included the fact of his prior conviction and also because the probative value of M.B.'s testimony was substantially outweighed by the danger of unfair prejudice.

¹ The state also sought to introduce relationship evidence related to two other individuals, but the district court denied the state's request and limited the relationship evidence to that involving M.B.

The postconviction court denied Wharton relief. The postconviction court determined that section 634.20 does not limit the form or presentation of evidence of domestic conduct or otherwise prohibit any reference to a conviction as part of properly admitted relationship evidence. The postconviction court further determined that the evidence had probative value and was not unfairly prejudicial. On appeal, Wharton challenges both of the postconviction court's reasons for concluding that the admission of M.B.'s testimony as relationship evidence was not an abuse of discretion.

Evidence of Conviction

Wharton contends that evidence of his conviction is not admissible as relationship evidence and therefore the district court abused its discretion by admitting evidence of his conviction of second-degree CSC. We are not persuaded.

Section 634.20 discusses the admissibility of “[e]vidence of domestic conduct.” “Domestic conduct” includes evidence of “domestic abuse.” Minn. Stat. § 634.20. “Domestic abuse” in turn is defined to include second-degree CSC. Minn. Stat. § 518B.01, subd. 2(a)(3). Section 634.20 does not limit how such evidence may be presented. *See* Minn. Stat. § 634.20. And we will not read into a statute a requirement that the legislature has omitted. *See State v. McCormick*, 273 N.W.2d 624, 627 (Minn. 1978) (providing that appellate courts “are not at liberty to read into [a statute] language intentionally omitted when it was amended by the legislature”). Here, Wharton's prior conviction is relevant because it supports the veracity of the testimony provided by M.B. as to the underlying events. Tetimony about Wharton's previous conviction is evidence that the domestic

conduct testified to by M.B. actually occurred. As such, admission of the testimony about the prior conviction was within the district court's discretion.

We are not convinced otherwise by Wharton's reliance on *State v. Richardson*, A22-1646, 2023 WL 7293382 (Minn. App. Nov. 6, 2023), which Wharton asserts supports his argument that a district court plainly errs by admitting evidence of a defendant's prior conviction as relationship evidence. We are not persuaded for two reasons. First, *Richardson* is a nonprecedential opinion and therefore not binding. See *Kruse v. Comm'r of Pub. Safety*, 906 N.W.2d 554, 559 (Minn. App. 2018) (noting that this court's nonprecedential decisions are not binding); Minn. R. Civ. App. P. 136.01, subd. 1(c). Second, the present case is factually distinguishable from *Richardson*. Here, unlike in *Richardson*, the relationship evidence came in directly through M.B., who testified that Wharton sexually abused her when she was about 11 years old and was convicted as a result.

We conclude that M.B.'s testimony about Wharton's sexual assault of M.B. and the resulting conviction was not categorically inadmissible under section 634.20. Instead, the pertinent inquiry regarding the admission of that evidence is whether the probative value of the evidence was substantially outweighed by the danger of unfair prejudice, a question to which we now turn.

Probative Value versus Potential for Unfair Prejudice

Wharton argues that the probative value of M.B.'s testimony, including the fact of his conviction of CSC, was substantially outweighed by the danger of unfair prejudice. Wharton therefore contends that the postconviction court abused its discretion when it

denied his request for a new trial based on the district court's admission of this testimony. We are not persuaded.

We begin by considering the probative value of M.B.'s testimony. Relationship evidence has "significant probative value in assisting the jury to judge witness credibility." *State v. Lindsey*, 755 N.W.2d 752, 757 (Minn. App. 2008), *rev. denied* (Minn. Oct. 29, 2008). It "illuminate[s] the history of the relationship" between the defendant and the alleged victim, and "put[s] the crime charged in the context of the relationship between the two." *State v. McCoy*, 682 N.W.2d 153, 159 (Minn. 2004). Relationship evidence also clarifies a defendant's treatment of family or household members. *State v. Valentine*, 787 N.W.2d 630, 637 (Minn. App. 2010) (noting that "evidence showing how a defendant treats his family or household members" is probative 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"), *rev. denied* (Minn. Nov. 16, 2010). Further, such evidence may provide context for a victim's behavior, such as a delay in reporting abuse or confusion about "exact times and locations" of abusive conduct. *State v. Word*, 755 N.W.2d 776, 784 (Minn. App. 2008).

The district court determined that M.B.'s testimony has probative value because "it is evidence of how [Wharton] treated" M.B., "which sheds light on how [Wharton] interacts with those closest to him (and daughters in particular)." The postconviction court agreed with the district court, concluding that M.B.'s testimony "illuminated the relationship between [Wharton] and L.S. and assisted the jury in assessing [her] credibility." The postconviction court emphasized that Wharton made credibility pivotal,

“focus[ing] jurors’ minds on credibility from the onset.” The postconviction court’s reasoning is supported by our caselaw. See *Lindsey*, 755 N.W.2d at 757 (recognizing the probative value of relationship evidence in “assisting the jury to judge witness credibility”); *Valentine*, 787 N.W.2d at 637 (stating that “evidence showing how a defendant treats his family or household members” is probative). We discern no abuse of discretion in the conclusion that M.B.’s testimony had probative value.

We next consider Wharton’s argument that any probative value of M.B.’s testimony was substantially outweighed by the danger of unfair prejudice. “[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.” *State v. Bell*, 719 N.W.2d 635, 641 (Minn. 2006) (quotation omitted). Wharton contends that M.B.’s testimony that he was convicted of sexually assaulting her was unfairly prejudicial because it suggested that he “has a propensity to sexually abuse his daughters.” Consequently, he contends that the district court abused its discretion when it concluded that the probative value was not substantially outweighed by the danger of unfair prejudice. He further argues that the postconviction court did not fully consider his argument regarding unfair prejudice.

In deciding to admit the evidence, the district court concluded that the probative value of the evidence was not substantially outweighed by the danger of unfair prejudice. The district court reasoned that, even if the evidence was “severely damaging” to Wharton, the state did not seek to persuade the jury through “illegitimate means.” Persuasion by illegitimate means includes “leading the jury to improperly conclude that [the defendant]

has a propensity to behave criminally and should now be convicted, and punished, for the charged offenses.” *State v. Hormann*, 805 N.W.2d 883, 891 (Minn. App. 2011), *rev. denied* (Minn. Jan. 17, 2012). As the district court explained, the record does not contain evidence that the prosecution sought to persuade the jury by illegitimate means. The postconviction court implicitly agreed, discerning no abuse of discretion by the district court in its weighing of the probative value against the potential for unfair prejudice.

Based on our review of the record, we conclude that Wharton has failed to show an abuse of discretion by the postconviction court of its review of the district court’s consideration of the potential for unfair prejudice to Wharton from the admission of M.B.’s testimony as relationship evidence. Rather, the record shows that the district court reduced the risk of unfair prejudice to Wharton by limiting the scope of relationship evidence that it admitted at trial. The state initially requested to admit evidence that Wharton sexually abused three minor girls (other than L.S.) as relationship evidence. The district court admitted M.B.’s testimony, but denied the state’s request to introduce evidence from the other two alleged victims in order to “lessen any undue weight” that the jury could attach to this evidence. In addition, the district court provided a cautionary instruction to the jury before the evidence was admitted and again before it excused the jury to deliberate. Before M.B. testified, the district court instructed the jury as follows:

Ladies and Gentlemen of the Jury, you are about to hear evidence of conduct by the defendant from 2013 in Kandiyohi County. This evidence is being offered for the limited purpose of demonstrating the nature and extent of the relationship between the defendant and his household or family members in order to assist you in determining whether the defendant

committed those acts with which the defendant is charged in the complaint.

The defendant is not being tried for and may not be convicted of any behavior other than the charged offenses. You're not to convict the defendant on the basis of conduct from 2013 in Kandiyohi County.

And in its final instructions, the district court instructed that:

The State has introduced evidence of conduct by the defendant in 2013 in Kandiyohi County. As I told you at the time that the evidence was offered, it was admitted for the limited purpose of demonstrating the nature and extent of the relationship between the defendant and other household or family members in order to assist you in determining whether the defendant committed those acts with which the defendant is charged in the complaint in this case.

The defendant is not being tried for and may not be convicted of any behavior other than the charged offenses. You are not to convict the defendant on the basis of similar conduct in 2013 in Kandiyohi County.

As the postconviction court noted, binding precedent instructs that limiting instructions lessen the risk of unfair prejudice to the defendant. *See Benton*, 858 N.W.2d at 542 (upholding the admission of relationship evidence when paired with cautionary instructions); *State v. Ware*, 856 N.W.2d 719, 724, 730 (Minn. App. 2014) (“[T]he danger of unfair prejudice in this case is low because the district court gave the jury a cautionary instruction.”). And “[w]e presume that the jury followed the [district] court’s instruction.” *State v. Taylor*, 650 N.W.2d 190, 207 (Minn. 2002). Because the district court issued cautionary instructions on the proper use of relationship evidence, the risk of any unfair prejudice was diminished.

In sum, the postconviction court did not abuse its discretion by determining that the district court's admission of M.B.'s testimony as relationship evidence did not require a new trial.

II. The postconviction court did not abuse its discretion by denying postconviction relief on Wharton's prosecutorial-misconduct claim.

Wharton next argues that the postconviction court abused its discretion by denying his claim for postconviction relief on the ground that the prosecutor committed misconduct at trial. Because Wharton did not object to the alleged misconduct at trial, the postconviction court reviewed his claim under the modified plain-error test. *State v. Segura*, 2 N.W.3d 142, 160 (Minn. 2024) (noting that “application of the plain error doctrine is modified when [an appellate court] review[s] unobjected-to claims of prosecutorial misconduct”). Under this standard, the defendant bears the burden of demonstrating that an error occurred and that the error was plain. *State v. Ramey*, 721 N.W.2d 294, 302 (Minn. 2006). “An error is plain if it was clear or obvious.” *Id.* (quotations omitted). If the defendant demonstrates plain error, the burden shifts “to the state to demonstrate lack of prejudice; that is, the misconduct did not affect substantial rights.” *Id.* (citing Minn. R. Crim. P. 31.02; *State v. Griller*, 583 N.W.2d 736, 741 (Minn. 1998)). If all three prongs of the plain-error test are satisfied, the reviewing court “assesses whether it should address the error to ensure fairness and the integrity of the judicial proceedings.” *Griller*, 583 N.W.2d at 740.

Wharton argues that the prosecutor committed plain error by eliciting testimony from the detective that law enforcement had prior contact with Wharton. Plain error may

be demonstrated if the prosecutor contravenes caselaw. *Ramey*, 721 N.W.2d at 302. In *State v. Strommen*, the supreme court held that an officer's testimony that they recognized the defendant from "prior contacts and incidents" can constitute plain error if the officer's testimony was designed to suggest that the defendant "was a person of bad character who had frequent contacts with the police." 648 N.W.2d 681, 687-88 (Minn. 2002). However, in *Strommen*, the supreme court "did not hold that [an] officer's comments about prior contacts, on their own, were reversible plain error." *Valentine*, 787 N.W.2d at 641 (citing *Strommen*, 648 N.W.2d at 686-89). Conversely, the supreme court has stated that evidence from which a jury could infer that a defendant has a prior criminal record generally is inadmissible. *State v. Richmond*, 214 N.W.2d 694, 695 (Minn. 1974).

At trial, the prosecutor asked the investigating detective what L.S., the victim in this case, had reported to him. The detective responded that L.S. discussed multiple different incidents of sexual assault by Wharton. According to the detective, L.S. told him that the first incident occurred in a trailer in the city of Willmar where Wharton was living at the time. The prosecutor then asked the detective if he was able to determine the exact trailer lot where Wharton resided. The detective testified that he showed L.S. a map of the area and, based on the trailer park that L.S. identified, he then "did a local records check in our record system and found contacts with [Wharton and his ex-wife]" at their home "in the 2005 and 2006 timeframe." The detective also identified the location of another sexual-assault incident based on L.S.'s description. The detective testified that he contacted the local police department and their record showed "contacts with [Wharton and his ex-wife] in 2008." The detective further verified the location where Wharton was living during later

incidents, explaining that he reviewed the police records system and found that “there were several contacts with [Wharton] [at his home] from 2012 to 2015,” and “a contact with [L.S.] there in 2013.”

In his postconviction petition, Wharton argued that the prosecutor plainly erred by eliciting testimony that Wharton had prior contacts with law enforcement because the testimony allowed “the jury to infer that he had committed even more crimes than” the prior conviction testified to by M.B. The postconviction court rejected this argument, determining that the detective’s testimony “was offered to establish the location and timeline of alleged abuse.” It noted that the state’s case depended in part on establishing L.S.’s age at the time of the sexual abuse because two of the charges required the jury to find the victim was under the age of 13 and other charges required the jury to find that the victim was under the age of 16, making the detective’s testimony about the timelines “especially important.” And it further determined that the detective’s testimony did not focus on Wharton’s “prior criminal contacts with police,” but rather on confirming “where [Wharton and his family] lived at the time.”

On appeal, Wharton relies on *Richmond* to argue that the postconviction court abused its discretion when it determined that the prosecutor did not engage in misconduct. Wharton argues that the detective’s testimony in this case impermissibly allowed the jury to infer that he had a prior criminal record. He argues that the prosecutor’s questioning, which elicited this testimony, was plainly erroneous because *Richmond* instructs that testimony that allows a “jury to infer that [the] defendant ha[s] a prior record” is generally inadmissible. *Id.*

Here, however, the detective's testimony did not suggest that Wharton had a prior criminal record. Instead, the detective testified broadly that he checked police "records" or had "contacts" with Wharton and with members of his family. The prosecutor did not introduce evidence from which the jury could infer that the police department's contacts with Wharton were criminal in nature.

Wharton further argues that it is an error for the state to elicit testimony that a police officer had prior contacts with a defendant because it suggests that the defendant is a person of bad character. As discussed above, the supreme court has held that an officer's testimony that the officer knew the defendant from "prior contacts and incidents" can constitute improper character evidence. *Strommen*, 648 N.W.2d at 687-88. But *Strommen* did not establish a per se rule that references to a defendant's prior contacts constitute improper character evidence. See *Valentine*, 787 N.W.2d at 641 (noting that "*Strommen* did not hold that the officer's comments about prior contacts, on their own, were reversible plain error"). Here, the detective's testimony did not refer to other crimes or suggest that Wharton was a person of bad character. Rather, the testimony was offered to establish Wharton's residences at the time the incidences of sexual abuse involving L.S. occurred. This testimony was particularly important because proving the charges depended in part on how old L.S. was at the time of each incident. On this record, we discern no abuse of discretion by the postconviction court in its determination that Wharton failed to show that the prosecutor committed an error that was plain.

Therefore, the postconviction court did not abuse its discretion by rejecting Wharton’s prosecutorial-misconduct claim.²

III. Wharton is not entitled to a new trial on the basis of cumulative error.

Lastly, Wharton argues that the cumulative effect of the alleged errors deprived him of a fair 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). “When considering a claim of cumulative error, we look to the egregiousness of the errors and the strength of the [s]tate’s case.” *Id.* This is not the “rare case[]” requiring reversal on the basis of cumulative error. For the reasons discussed above, we are satisfied that the postconviction court correctly determined that the district court did not abuse its discretion by admitting relationship evidence under section 634.20, and further, that the prosecutor did not commit plain-error misconduct by eliciting testimony from a police officer about prior contacts with Wharton or his family. Therefore, Wharton is not entitled to relief on his claim of cumulative error.

Affirmed.

² Because we conclude that the postconviction court correctly determined that the prosecutor did not commit an error that was plain, we need not consider whether Wharton’s substantial rights were affected or whether the fairness and integrity of judicial proceedings require reversal. *See State v. Lilienthal*, 889 N.W.2d 780, 785 (Minn. 2017) (noting that if a reviewing court concludes that “any one of the requirements is not satisfied, [it] need not address any of the others” (quotation omitted)).