

*This opinion is nonprecedential except as provided by  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  
A25-0077**

Aisha Roble and OBO Minor Children,  
Appellant,

vs.

Yasmina Marmo,  
Respondent.

**Filed November 17, 2025  
Affirmed  
Larson, Judge**

Ramsey County District Court  
File No. 62-HR-CV-24-706

Maxwell Shek, Shek Law, LLC, Minneapolis, Minnesota (for appellant)

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Considered and decided by Connolly, Presiding Judge; Larson, Judge; and Bond,  
Judge.

**NONPRECEDENTIAL OPINION**

**LARSON**, Judge

Appellant Aisha Roble appeals from a district court decision to deny her petition for a harassment restraining order (HRO) against respondent Yasmina Marmo. Roble argues the district court: (1) made inadequate findings; (2) reached an unsupported credibility determination; and (3) improperly concluded there were no reasonable grounds to believe Marmo harassed Roble. We affirm.

## FACTS

In June 2024, Roble petitioned for an HRO against Marmo. According to the petition, Marmo is in a romantic relationship with Roble's ex-husband and the father of Roble's children. Roble alleged that Marmo: (1) made false reports to the police and Child Protective Services (CPS) (the false-reports incident); (2) followed Roble to and around Roble's apartment building (the apartment incident); (3) created and maintained a fake social-media account containing false information about Roble (the social-media incident); and (4) accompanied ex-husband to the children's school and made demands to see the children (the school incident).

The district court issued an ex parte HRO and scheduled a two-day evidentiary hearing. The parties stipulated that CPS received false reports about Roble. The parties also stipulated to the admission of exhibits, including a police report (the police report) indicating CPS was contacted three times regarding Roble—one call from a 612 area-code phone number associated with Roble's sister (sister) and two calls from a 320 area-code phone number.

Regarding the false-reports incident, Roble called sister to testify. Sister denied contacting CPS. Roble then introduced the police report. The police report stated that the 320 phone number belonged to Marmo, but acknowledged that the police did not verify that Marmo was the caller. Roble also introduced subpoenaed call logs from the 320 phone number, which corroborated her claim that the 320 phone number was used to call CPS, the school, and Roble's family members. However, the call logs did not identify the owner of the 320 phone number.

With respect to the apartment incident, Roble testified that one day a “woman . . . showed up at her apartment to make a false report to the police.” Roble introduced photographs she took of the woman during the incident. The woman in the photographs wore a surgical mask, winter jacket, casual pants, and sandals. Roble testified that the woman in the photographs was Marmo. Roble also submitted a police-created incident report (the incident report). The incident report identified the woman involved in the apartment incident as N.M., a resident at Roble’s apartment building.<sup>1</sup> Roble testified that the incident report stated N.M. owned the 320 phone number—the same number connected to Marmo in the false-reports incident.

Roble only offered her own testimony to support her allegations regarding the social-media incident. Roble testified that she believed Marmo made a fake social-media profile using Roble’s name, photographs, and birthday. Roble stated the profile contained false information, including that she worked at a strip club.

Finally, Roble offered the following evidence regarding the school incident. Roble testified that the school contacted her about an “unidentified woman” accompanying ex-husband on a visit to the school. Roble admitted that the school did not identify the woman, but Roble insisted it was Marmo.

After Roble rested her case, Marmo testified. Marmo first denied knowing or having a relationship with ex-husband. Marmo then denied involvement in all four incidents. Regarding the false-reports incident, Marmo denied making complaints to CPS.

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<sup>1</sup> The parties agree that Marmo never lived in Roble’s apartment building.

She repeatedly stated the 320 phone number did not belong to her. And Marmo explained that confusion over her identity was possible because she experienced identity theft in 2019. With respect to the apartment incident, Marmo denied going to Roble's apartment. Marmo explicitly denied that she was depicted in the photographs on the basis that she wears traditional Muslim attire, and the woman in the picture had a lighter skin tone. Marmo also denied creating the fake social-media profile. And Marmo responded to the school incident by insisting she did not know ex-husband.<sup>2</sup>

At the conclusion of the hearing, the referee denied the HRO. Making oral findings on the record, the referee found neither party was credible. Specifically, regarding Roble's testimony, the referee found she was "not particularly credible" because of "inconsistencies in" her testimony. The referee found that the 320 phone number made numerous false reports about Roble, but the evidence did not prove that Marmo was the source of the false reports. Accordingly, the referee concluded that Roble failed to meet her burden to establish that Marmo harassed Roble. A district court judge confirmed the referee's decision.

Roble appeals.

## **DECISION**

Roble challenges the district court's decision to deny the HRO petition. *See Griffis v. Luban*, 601 N.W.2d 712, 714-15 (Minn. App. 1999) ("Orders and findings recommended

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<sup>2</sup> At the hearing, to prove Marmo and ex-husband knew each other, sister offered testimony that she had seen Marmo and ex-husband at the mall together. And Roble introduced evidence of an email address that Marmo, Marmo's mother, and ex-husband used at various times between 2021-2024.

by a referee become effective when countersigned or confirmed by a district court judge.”). We review the district court’s decision for an abuse of discretion. *Borth v. Borth*, 970 N.W.2d 699, 701 (Minn. App. 2022). “A district court abuses its discretion if it makes findings of fact that are not supported by the record, misapplies the law, or resolves the matter in a manner that is contrary to logic and the facts on record.” *Id.* (quotation omitted). We give “due regard” to the district court’s credibility determinations and will not disturb its factual findings unless they are clearly erroneous. *Peterson v. Johnson*, 755 N.W.2d 758, 761 (Minn. App. 2008).

Roble makes three arguments on appeal. First, she argues the district court made inadequate findings to facilitate meaningful appellate review. Second, she claims the record does not support the district court’s finding that she was not credible. Last, she contends the district court abused its discretion when it concluded she failed to meet her burden to establish that Marmo was responsible for the harassing conduct. We address each argument in turn.

## I.

Roble argues the district court made inadequate findings to facilitate meaningful appellate review. A district court’s findings must be specific enough to allow for meaningful appellate review such that we can determine the basis on which the district court made its decision. Minn. R. Civ. P. 52.01. We are not required to reverse a decision for more adequate findings when the decision is supported by a clear record and facts that

are not seriously disputed. *See Crowley Co. v. Metro. Airports Comm’n*, 394 N.W.2d 542, 545 (Minn. App. 1986).

Roble first asserts the district court’s finding that she was “not particularly credible” because of “inconsistencies in” her testimony was not sufficiently specific. We disagree. Upon reviewing the record, it is apparent that Roble’s testimony conflicts with some of the stipulated evidence. Therefore, the district court’s finding is specific enough to facilitate appellate review.

Roble asserts second that, even if the credibility determination was reasonably supported, the district court’s findings are insufficient because the district court failed to explain why it disregarded the third-party reports stating that Marmo owned the 320 phone number. We are not persuaded. Roble’s argument disregards the fact that the police report and the incident report reach inconsistent conclusions regarding the owner of the 320 phone number. Therefore, the district court did not need to provide more detailed findings for us to understand the basis for its decision.

## II.

Roble next argues that, even if there are adequate findings, the district court made an unsupported credibility determination because “her testimony remained internally consistent, was not impeached, and was largely cumulative of the stipulated exhibits.” Credibility determinations are for the district court to make and ordinarily will not be disturbed on appeal. *See* Minn. R. Civ. P. 52.01 (stating due regard is given to district court’s opportunity to judge credibility of witnesses). “Having seen the live testimony, the

district court is in the best position to assess the credibility of the witnesses.” *Wilson v. Wilson*, 11 N.W.3d 331, 337 (Minn. App. 2024), *rev. denied* (Dec. 17, 2024).

Contrary to Roble’s argument, ample evidence supports the district court’s credibility determination. For example, Roble testified that Marmo went to the school, but admitted the school never identified Marmo as the woman with ex-husband. And Roble offered inconsistent testimony regarding the owner of the 320 phone number; she first testified the 320 number belonged to Marmo, then she testified the same number belonged to N.M. Because the record supports the district court’s findings, we will not disturb the district court’s credibility determination.

### III.

Finally, Roble argues the district court abused its discretion when it denied the HRO because she met her burden to establish that Marmo harassed Roble. While the statute does not specifically identify a burden of proof by which a petitioner must prove facts necessary to obtain an HRO, a district court can issue an HRO after a hearing if the petitioner establishes by a preponderance of the evidence that “there are reasonable grounds to believe that the respondent has engaged in harassment.” Minn. Stat. § 609.748, subd. 5(b)(3) (2024); *see also Rixmann v. City of Prior Lake*, 723 N.W.2d 493, 495 (Minn. App. 2006) (“In a statutorily created cause of action, the legislature generally has the power to determine the standard of proof. We regard the legislature’s silence about the standard of proof as a signal that the legislature intended the preponderance-of-the-evidence standard.” (citation omitted)), *review denied* (Minn. Jan. 24, 2007); *Oberg v. Bradley*, 868 N.W.2d 62, 64 (Minn. App. 2015) (citing *Rixmann* to address standard of proof for an

order-for-protection). Harassment means “repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.” Minn. Stat. § 609.748, subd. 1(a)(1) (2024).

First, Roble relied solely on her own testimony to prove that Marmo was involved in the social-media incident and school incident. Given the adverse credibility determinations, the district court did not abuse its discretion when it concluded neither incident was proven by a preponderance of the evidence.

Second, given the adverse credibility determinations, the stipulated evidence was particularly important to determine whether Roble connected Marmo to the false-reports incident and apartment incident. Roble maintains that the stipulated evidence showed that Marmo owned the 320 phone number. We are not persuaded. The police report and incident report reach conflicting conclusions regarding ownership of the 320 phone number. And the call logs did not identify the owner of the 320 phone number. Therefore, the stipulated evidence is inconclusive regarding the ownership of the 320 number. And because the 320 phone number was the primary evidence Roble relied on to connect Marmo to both the false-reports incident and apartment incident, the district court appropriately concluded Roble failed to prove by preponderance of the evidence that Marmo was involved in either incident.

For these reasons, we conclude the district court did not abuse its discretion when it denied Roble's HRO petition.

**Affirmed.**