

*This opinion is nonprecedential except as provided by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
A25-0130**

In the Marriage of:
Mezeker Getachaw Mengesha, petitioner,
Respondent,

vs.

Mesay Solomon Hailu,
Appellant.

**Filed September 8, 2026
Affirmed
Worke, Judge**

Hennepin County District Court
File No. 27-FA-21-3451

Mezeker Getachaw Mengesha, Bloomington, Minnesota (pro se respondent)

Amadu Edward Swaray, SWARAY LAW OFFICE, LTD, Brooklyn Center, Minnesota
(for appellant)

Considered and decided by Worke, Presiding Judge; Frisch, Chief Judge; and Bond,
Judge.

NONPRECEDENTIAL OPINION

WORKE, Judge

In this marital-dissolution matter, appellant argues that the district court abused its discretion by awarding respondent sole legal and sole physical custody of the parties' children, awarding him inadequate parenting time, making an inequitable division of marital property, and failing to require respondent to pay a certain debt. We affirm.

FACTS

Appellant Mesay Solomon Hailu (husband) and respondent Mezeke Getachew Mengesha (wife) married in October 2003. The parties separated in April 2021 after wife alleged that husband threatened to kill her and was in possession of a handgun. The state charged husband with threats of violence. Wife was granted an order for protection (OFP) against husband.

In July 2021, wife petitioned for dissolution of marriage. Wife requested sole legal and sole physical custody of the parties' three minor children. The district court ordered a custody and parenting-time evaluation.

Trial began in February 2024. The custody evaluator's report was admitted into evidence. The custody evaluator noted that husband did not have contact with the children between April and July 2021. Since August 2021, husband had minimal parenting time and no overnight visits. The evaluator stated that, rather than focusing on parenting time, husband focused on commenting negatively about wife. The evaluator described husband's parenting style as "disorganized" and "very hands-off." Conversely, the evaluator observed that wife was nurturing and emotionally stabilizing.

The evaluator noted that the children were resistant to parenting time with husband. She also noted that husband had been unable to provide for the children's physical and emotional needs. For example, one of children has diabetes and the child reported that wife provides her with assistance in managing her needs. The evaluator recommended that wife be granted sole physical and sole legal custody of the children.

Wife testified that, when the parties separated, husband moved out of the home, and she had paid the home expenses. Wife testified that the parties purchased the marital home in 2012 for \$105,000. The home was built in 1956 and required many repairs, such as updating the home's main systems. In the dissolution petition, wife indicated that the home had a 2021 tax-assessed market value in the amount of \$259,200. The home was subject to a mortgage with a principal balance of \$69,000. Wife did not believe that the home would be valued more than \$300,000 because "there's a lot of damages and things that need to be repaired."

Husband testified that he made several improvements to the home but admitted that much of the work was done without permits. He testified that he had the home appraised approximately two years prior, but he was unaware of the current condition of the home. Husband currently lived in a one-bedroom apartment but was looking for a two-bedroom apartment so that the children could stay overnight.

Husband testified that the custody evaluator did not understand him and did not spend sufficient time interviewing him and the children. He also stated that the custody evaluator failed to document most of the information that he reported.

In November 2024, the district court filed findings of fact, conclusions of law, order for judgment, and judgment and decree. The district court found wife's testimony to be credible and husband's testimony on disputed issues to be not as credible as wife's testimony. The district court also found the custody evaluator and her report to be credible.

The district court considered the best-interests factors in deciding custody and parenting time and found that it is in the children's best interests to award wife sole legal

and sole physical custody of the children. The district court awarded husband parenting time “after school from 4pm to 8pm Friday and Saturday.” The district court ordered that husband’s parenting time would expand after he submitted proof that he had at least two bedrooms for the children.

The district court awarded the parties’ home to wife “with an understanding that [h]usband have a lien [on] the home for one-half of the equity value to be paid no later July 1, 2027.” The district court valued the home at “approximately \$264,000.” The district court split the parties’ bank accounts evenly between the parties.

This appeal followed.

DECISION

Custody and Parenting Time

Husband argues that the district court should not have awarded wife sole legal and sole physical custody of the children. A district court has broad discretion to determine the custody of the parties’ children. *Rutten v. Rutten*, 347 N.W.2d 47, 50 (Minn. 1984). In deciding custody, a district court weighs 12 best-interests factors. Minn. Stat. § 518.17, subd. 1(a) (2024). On review, this court defers to the district court’s weighing of those factors. *See In re Welfare of: C.F.N.*, 923 N.W.2d 325, 334 (Minn. App. 2018), *rev. denied* (Minn. Mar. 19, 2019).

Here, the district court considered all of the best-interests factors and determined that it was in the children’s best interests to award wife sole legal and sole physical custody. Husband does not challenge the district court’s best-interests findings. Rather, he argues that the custody evaluator was biased against him and did not spend enough time with him

to properly evaluate the situation. He also claims that the evaluator should have understood that his minimal time with the children was due to the OFP.

But the OFP protected only wife. The district court noted that husband did not attempt to have a hearing on the OFP or seek remedies that would help him see the children. Additionally, husband focuses on his limited time with the children as being the reason he was not awarded custody. But the district court noted other factors that weighed in favor of granting wife custody. For example, husband's parenting style was described as disorganized, he was not as familiar with assisting the eldest child with managing her diabetes, and he talked poorly about wife. Further, the district court found the evaluator and her report to be credible and found husband to be less credible. The district court, therefore, did not abuse its discretion by awarding sole legal and sole physical custody to wife.

Husband also argues that the district court's parenting-time decision is not supported by the record. "The district court has broad discretion in determining parenting-time issues and will not be reversed absent an abuse of that discretion." *Dahl v. Dahl*, 765 N.W.2d 118, 123 (Minn. App. 2009). "A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record." *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quotation omitted).

Husband argues that he should have been granted more parenting time because he is not a threat to the children, the children want parenting time with him, and it should not matter that he has only a one-bedroom apartment. But the evaluator stated that husband,

rather than focusing on parenting time, focused on speaking negatively about wife. And the evaluator indicated that the children were resistant to parenting time with husband. Further, the district court stated that husband's parenting time would expand after he submitted proof that he had at least two bedrooms for the children. The district court did not abuse its discretion by establishing parenting time.

Property and Debt

Husband next challenges the district court's valuation of property, its determination that the evidence did not show that wife dissipated assets, and its distribution of debt.

A district court has broad discretion in dividing the parties' marital property in a dissolution, and its decision will not be reversed absent a clear abuse of discretion. *Bogen v. Bogen*, 261 N.W.2d 606, 609 (Minn. 1977). Determining the value of an asset is a finding of fact that this court reviews for clear error. *Maurer v. Maurer*, 623 N.W.2d 604, 606 (Minn. 2001). In reviewing asset-valuation findings, appellate courts require only that the valuation falls within a reasonable range of figures. *Johnson v. Johnson*, 277 N.W.2d 208, 211 (Minn. 1979).

Home Valuation

Husband argues that the district court used an "off-the-wall evaluation" to value the parties' home. He claims that the district court should have used a value of \$330,600 based on an appraisal he arranged.

The district court's valuation reflected the "[c]ourt's best sense of the value based on the parties' incomplete and differing testimony on potential values and the condition of

the property reflected by [the] amount of repair work needed. It appears the homestead would need some considerable work to achieve a good and prompt sale.”

Wife testified that she did not have a current appraisal to know the specific value of the home. She testified that the home required significant work to be marketable. Husband testified that he had an appraisal done two years prior. He acknowledged that “appraisals only last for about six months.” Husband believed that the house was valued more than the Hennepin County property value because he added bedrooms, a bathroom, a kitchen, and finished the basement. However, because he had not obtained permits for the work, he stated that the county was not aware of all the work he put into the home.

The district court accurately described the parties’ testimonies on the value and condition of the property. There is support in the record for the district court’s valuation of the home; therefore, the district court did not clearly err in finding the home’s value.

Dissipated Assets

Husband argues that the district court failed to consider that wife dissipated the parties’ joint bank accounts. Parties to a pending marital-dissolution proceeding are prevented from dissipating marital property without the consent of the other party. *See* Minn. Stat. § 518.58, subd. 1a (2024) (stating that, with certain exceptions, parties are prevented from transferring, encumbering, concealing, or disposing of marital assets during the pendency of a dissolution proceeding). Dissipation of marital assets is a question of fact that this court reviews for clear error. *Id.*; Minn. R. Civ. P. 52.01; *see Goldman v. Greenwood*, 748 N.W.2d 279, 284 (Minn. 2008) (applying Rule 52.01 in

family-law appeals). The party alleging dissipation has the burden of proof. Minn. Stat. § 518.58, subd. 1a.

The district court stated: “Husband suggests that [w]ife was hiding a source of additional funds she had been secretly setting aside over time. The [c]ourt finds no credible evidence supports this suggestion.” Husband testified that he submitted an exhibit that showed that wife moved money to an account under the name of her family members. The exhibit husband identifies, however, is a schedule of assets and liabilities; it does not show any transfers. There does not appear to be any evidence that wife dissipated assets; therefore, husband failed to meet his burden.

Funeral Expense

Lastly, husband argues that the district court should have included his father’s funeral expenses as marital debt. Marital debts are apportioned in the same manner as the division of marital assets. *Korf v. Korf*, 553 N.W.2d 706, 712 (Minn. App. 1996). This court reviews the district court’s division of property for an abuse of discretion. *See Bogen*, 261 N.W.2d at 609 (stating that division of property is reviewed for an abuse of discretion).

Husband testified that he expected wife to pay a portion of an expense related to his father’s death. He stated: “[S]he said she was going to pay some amount, but finally, she changed her mind.” Husband submitted an exhibit that he claimed supported the existence of this expense and his assertion that wife is liable for this expense. The exhibit is a bank statement that does not include any information related to this expense or wife’s responsibility for this expense. The district court stated that it was “not persuaded that the

parties have outstanding debts related to the death of [h]usband's father.” The district court's statement is supported by the record.

We conclude that the district court conducted a thorough analysis and issued a detailed order that is supported by the record. The district court, therefore, did not abuse its discretion.

Affirmed.