

*This opinion is nonprecedential except as provided by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
A25-0155**

State of Minnesota,
Respondent,

vs.

Mickela Joy Vredenburg,
Appellant.

**Filed February 2, 2026
Reversed and remanded
Kirk, Judge***

Dodge County District Court
File No. 20-CR-24-668

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

Paul Kiltinen, Dodge County Attorney, Mantorville, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Erik I. Withall, Assistant Public
Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Smith, Tracy M., Presiding Judge; Harris, Judge; and
Kirk, Judge.

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to
Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

KIRK, Judge

This appeal arises from appellant's conviction for fourth-degree criminal damage to property, a misdemeanor. Appellant challenges the constitutional validity of her guilty plea, arguing that the district court failed to advise her of the constitutional rights she would be waiving by pleading guilty before accepting her plea. Because the district court advised appellant of only one of the constitutional rights she would waive by entering a guilty plea, and the record does not otherwise establish that her plea was valid, we reverse and remand.

FACTS

In October 2024, respondent State of Minnesota charged appellant Mickela Joy Vredenburg with felony first-degree criminal damage to property in violation of Minn. Stat. § 609.595, subd. 1(4) (2024); gross-misdemeanor domestic assault in violation of Minn. Stat. § 609.2242, subd. 2 (2024); and misdemeanor theft in violation of Minn. Stat. § 609.52, subd. 2(a)(1) (2024).

In December 2024, the state made Vredenburg a plea offer on the day trial was scheduled to begin. The terms of the agreement contemplated a guilty plea for misdemeanor fourth-degree damage to property under Minn. Stat. § 609.595, subd. 3 (2024), a 60-day sentence with credit for time-served, and a \$50 fine. Although restitution would remain open for 30 days, the file would otherwise be closed. Vredenburg initially declined this offer but later decided to accept it. The district court granted a short recess, during which Vredenburg and her lawyer discussed the terms of the agreement. There is

no record that Vredenburg and her lawyer discussed the waiver of her constitutional rights, and it does not appear that Vredenburg signed and submitted a plea petition.

The district court questioned Vredenburg on the record. The district court confirmed Vredenburg's name and birth date, inquired whether the plea was free from improper inducements, and advised Vredenburg of the statutory maximum penalty. *See* Minn. R. Crim. P. 15.02, subd. 1. The district court then advised Vredenburg of her "right to a jury trial" and asked whether she had decided to waive this right. Vredenburg expressly waived her right to a jury trial. The district court then inquired how Vredenburg pleaded to the amended charge of fourth-degree damage to property. She pleaded guilty. Defense counsel and the state examined Vredenburg to establish the factual basis for this offense. The district court determined that Vredenburg had made a "knowing, voluntary and intelligent waiver of [her] right to a trial," accepted the plea, and convicted her of the offense.

Vredenburg appeals.¹

DECISION

An appellant may challenge a guilty plea's validity in the first instance on direct appeal. *Brown v. State*, 449 N.W.2d 180, 182 (Minn. 1989). Appellate courts review whether a defendant entered a valid guilty plea de novo. *State v. Raleigh*, 778 N.W.2d 90, 94 (Minn. 2010). "If a defendant entered an invalid guilty plea, we reverse and remand for

¹ The state did not file a brief in this appeal. We, therefore, consider Vredenburg's arguments on the merits. *See* Minn. R. Civ. App. P. 142.03.

the district court to allow a defendant to withdraw their guilty plea.” *State v. Lawrence*, 982 N.W.2d 772, 775 (Minn. App. 2022).

“To be constitutionally valid, a guilty plea must be accurate, voluntary, and intelligent.” *Raleigh*, 778 N.W.2d at 94 (citing *North Carolina v. Alford*, 400 U.S. 25, 31 (1970)). Relevant here, the intelligence requirement “ensures that a defendant understands the charges against him, the rights he is waiving, and the consequences of his plea.” *Id.* at 96.

The waiver that takes place upon the entry of a guilty plea involves several constitutional rights. *Boykin v. Alabama*, 395 U.S. 238, 243 (1969); *State v. Casarez*, 203 N.W.2d 406, 408 (Minn. 1973). These rights include “the privilege against compulsory self-incrimination,” “the right to trial by jury,” and “the right to confront one’s accusers.” *Boykin*, 395 U.S. at 243; *see also Casarez*, 203 N.W.2d at 408. “A guilty plea must appear *on the record* to have been . . . intelligently made.” *Casarez*, 203 N.W.2d at 408 (emphasis added). “We cannot presume a waiver of these three important . . . rights from a silent record.” *Boykin*, 395 U.S. at 243.

The district court need not create a perfect record. *See State v. Doughman*, 340 N.W.2d 348, 351 (Minn. App. 1983) (“What is important is not the order or the wording of the questions, but whether the record . . . establish[es] that the plea was intelligently and voluntarily given.”), *rev. denied* (Minn. Mar. 15, 1984). If the “record reveals careful interrogation by the trial court and the defendant had full opportunity to consult with his counsel before entering his plea, the court may safely presume that the defendant was adequately informed of his rights.” *Hernandez v. State*, 408 N.W.2d 623, 626 (Minn. App.

1987) (citing *State v. Propotnik*, 216 N.W.2d 637, 638 (Minn. 1974)). But where the record is “so incomplete that there is no way of determining if defendant properly waived all of his rights,” a defendant must be allowed to withdraw their guilty plea. *Casarez*, 203 N.W.2d at 408.

Vredenburg claims her guilty plea is invalid because the record does not establish that it was intelligent. She does not dispute that the district court made on-the-record inquiries regarding her identity, lack of coercion, opportunity to speak with a lawyer, and understanding of the agreement. Vredenburg argues, however, that the district court failed to advise her of the constitutional rights she would be waiving by pleading guilty, and so her plea was not intelligent.

Although Vredenburg testified that she had adequate time to speak with her lawyer before entering a guilty plea, nothing in the record establishes that the lawyer discussed Vredenburg’s constitutional rights with her. During Vredenburg’s examination by the district court, the district court advised her of her constitutional “right to a jury trial.” The district court did not advise her of any other constitutional rights she waived by entering a guilty plea, specifically the privilege against compulsory self-incrimination and the right to confront one’s accusers. No other information in the record establishes that Vredenburg understood she waived these rights by pleading guilty. The record therefore fails to show that Vredenburg entered her guilty plea intelligently, and we reverse and remand to the district court to allow Vredenburg to withdraw her guilty plea to fourth-degree damage to property.

On remand, if Vredenburg withdraws her guilty plea, the state may resume prosecution of all originally charged offenses, including those that were dismissed as part of her plea agreement. *See State v. Kaiser*, 469 N.W.2d 316, 320 (Minn. 1991) (noting that a defendant who withdraws a guilty plea faces trial on all original charges and, if convicted, faces a greater potential penalty).

Reversed and remanded.