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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0176**

State of Minnesota,
Respondent,

vs.

Mickela Joy Vredenburg,
Appellant.

**Filed February 2, 2026
Affirmed
Ede, Judge**

Olmsted County District Court
File No. 55-CR-23-242

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

Michael T. Walters, Olmsted County Attorney, Carrie J. Osowski, Senior Assistant County Attorney, Rochester, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Leah C. Graf, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Johnson, Presiding Judge; Ross, Judge; and Ede, Judge.

NONPRECEDENTIAL OPINION

EDE, Judge

In this direct appeal from a final judgment of conviction for fleeing a police officer in a motor vehicle, appellant argues: (1) that the arresting officer, who was the state's sole witness at trial, made only a fleeting and limited observation of the driver, which was uncorroborated and insufficient to prove beyond a reasonable doubt that appellant was the

person operating the vehicle; and (2) that the district court plainly and prejudicially erred by admitting unobjected-to testimony and allowing argument about appellant's booking photos, which appellant claims was unnoticed, unproven, and unfairly prejudicial *Spreigl* evidence.¹ We conclude that the direct evidence of the officer's observation of appellant is sufficient to establish appellant's guilt by showing that she was the person operating the vehicle. And we conclude that the district court did not plainly err by admitting testimony and allowing argument about appellant's booking photos. We therefore affirm.

FACTS

Respondent State of Minnesota charged appellant Mickela Joy Vredenburg with fleeing a police officer, in violation of Minnesota Statutes section 609.487, subdivision 3 (2022).² According to the complaint, Vredenburg fled from a police officer in a motor vehicle when the officer attempted to arrest her on a felony warrant. The matter proceeded to a jury trial, at which the state presented testimony by the arresting officer and introduced a recording of the officer's squad-car video footage. The jury found Vredenburg guilty.

¹ Minnesota Rule of Evidence 404(b)(1) provides that “[e]vidence of another crime, wrong, or act is not admissible to prove the character of a person in order to show action in conformity therewith.” But such evidence may be admissible “for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.” Minn. R. Evid. 404(b)(1). Evidence offered for one of these other purposes is called *Spreigl* evidence. *State v. McLeod*, 705 N.W.2d 776, 780 n.1 (Minn. 2005) (citing *State v. Spreigl*, 139 N.W.2d 167, 173 (Minn. 1965)) (other citation omitted). The state must “provide notice of its intent to use [*Spreigl*] evidence.” *State v. Smith*, 9 N.W.3d 543, 561 (Minn. 2024).

² Although the state also charged Vredenburg with reckless driving, in violation of Minnesota Statutes section 169.13, subdivision 1(a) (2022), the district court later granted the state's motion to dismiss that charge.

Below, we summarize the relevant pretrial proceedings and evidence adduced at trial, which is presented in the light most favorable to the jury's verdict.³

Before jury selection, the district court addressed a motion in limine by Vredenburg that sought an order prohibiting the state from asking questions referencing the arrest warrant. Maintaining that testimony about the warrant was *Spreigl* evidence, Vredenburg asserted that the state had not provided sufficient notice. The district court denied Vredenburg's motion and allowed the state to present testimony about the warrant. It reasoned that the state had provided adequate notice through the statement of probable cause in the complaint, which showed that the state would offer the evidence to explain why the officer had attempted to stop Vredenburg.

During the trial, the officer testified about the underlying incident. The officer stated that he attempted to conduct a traffic stop on a vehicle that had an unilluminated brake light, that a license-plate records check revealed that the vehicle was registered to Vredenburg's father,⁴ that "[t]here was probable cause to arrest [Vredenburg]" because "she had a warrant at the time," and that he identified Vredenburg "through prior booking photos" and his contemporaneous observation of her operating the vehicle. The state did

³ See *State v. Segura*, 2 N.W.3d 142, 155 (Minn. 2024) ("When reviewing the sufficiency of direct evidence, we painstakingly review the record to determine whether that evidence, viewed in the light most favorable to the verdict, was sufficient to permit the jurors to reach the verdict that they did." (quotation omitted)).

⁴ On cross-examination, Vredenburg's counsel asked the officer one question—whether Vredenburg was the registered owner of the vehicle. After the officer testified that Vredenburg was not the registered owner, defense counsel had no further questions for the officer.

not offer documentary exhibits of the referenced warrant and booking photos into evidence, and aside from her motion in limine as to the warrant, Vredenburg did not object to the officer's testimony in either regard. The officer also testified that, after he activated his squad car's emergency lights and spotlight to stop the vehicle, he "could see her face in the rearview mirror" and the side and back of her head as she made a turn at an intersection. The incident concluded when Vredenburg accelerated away at a high rate of speed and the officer did not pursue her based on his training and police department policy. In addition to providing this testimony about the charged conduct, the officer identified the driver in the courtroom and stated that she was seated next to defense counsel.

Without objection, the state introduced the squad-car video, which shows the officer following the vehicle for thirty seconds and activating the squad car's lights and spotlight. The video also depicts the spotlight's illumination of the vehicle's rearview mirror as the officer approached. When the vehicle does not stop, the video captures the officer saying, "She is in the driver's seat. She'll be fleeing southbound. . . . I have confirmed she was in the driver's seat."

During closing arguments, Vredenburg's counsel challenged the state's evidence of her identification as the driver, including by asserting:

We have [the] [o]fficer . . . testifying that in a split second, a matter of minutes, while he was traveling behind a car going various speeds that I believe hit up to speeds of 50 miles per hour, with more than a car length in between them, and from behind, that he was able to identify . . . Vredenburg from behind and from a reflection of her face in a rearview mirror. Ladies and gentlemen, that's not possible.

In rebuttal, the state asserted: “Defense contends that [the] driver could have been a thousand different people, but you heard from [the] [o]fficer . . . that he saw . . . Vredenburg, nobody else, and that he recognized her based on prior booking photos.” Vredenburg did not object to the state’s closing argument.

The jury found Vredenburg guilty. The district court later stayed the imposition of sentence, ordered that Vredenburg serve 176 days in jail with credit for time served, and placed her on supervised probation for three years under certain terms and conditions.

Vredenburg appeals.

DECISION

I. The direct evidence of the officer’s observation of Vredenburg is sufficient to establish her guilt.

Vredenburg contends that the evidence is insufficient to support the guilty verdict because the officer’s identification of her was fleeting, limited, and uncorroborated. The state counters that the officer’s testimony was corroborated and sufficient to sustain the guilty verdict. We agree with the state.

Due process requires the state to prove each element of the charged offense beyond a reasonable doubt. *State v. Beganovic*, 991 N.W.2d 638, 654 (Minn. 2023). When analyzing a sufficiency-of-the-evidence claim, “[t]he applicable standard of review depends on whether the conviction—or . . . the specific element at issue—is supported by direct evidence or circumstantial evidence.” *State v. Nyonteh*, 24 N.W.3d 271, 283 (Minn. 2025). “Direct evidence is evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.” *State v. Loveless*, 987

N.W.2d 224, 247 (Minn. 2023) (quotation omitted). This includes video, which is direct evidence of what it shows. *See State v. Blevins*, 10 N.W.3d 29, 39–40 (Minn. 2024).

In order to prove Vredenburg guilty of fleeing a police officer in a motor vehicle, the state had to establish that she used a motor vehicle to “flee[] or attempt[] to flee a peace officer who [was] acting in the lawful discharge of an official duty, and . . . [she knew] or should [have] reasonably know[n] the same to be a peace officer.” Minn. Stat. § 609.487, subd. 3. In this appeal, Vredenburg challenges only the sufficiency of the evidence identifying her as the driver. The state relied on direct evidence to prove Vredenburg’s identity: the officer’s testimony based on his personal observations and the squad-car video.

As noted above, appellate courts review the sufficiency of direct evidence by painstakingly reviewing the record to determine whether, viewing that evidence in the light most favorable to the jury’s verdict, it was sufficient to allow the jurors to find the defendant guilty. *Segura*, 2 N.W.3d at 155. “[I]f the fact-finder, acting with due regard for the presumption of innocence and the requirement of proof beyond a reasonable doubt, could have reasonably concluded that the state proved the defendant’s guilt,” an appellate court will not disturb the guilty verdict. *State v. Olson*, 982 N.W.2d 491, 495–96 (Minn. App. 2022) (citing *Bernhardt v. State*, 684 N.W.2d 465, 476–77 (Minn. 2004)).

Appellate courts “assume that the jury believed the state’s witnesses and disbelieved any evidence to the contrary.” *Loveless*, 987 N.W.2d at 246 (quotation omitted). Rather than “reweigh the evidence presented to the district court,” appellate courts “defer to the credibility determinations made by the factfinder.” *State v. King*, 990 N.W.2d 406, 421

(Minn. 2023); *see also Olson*, 982 N.W.2d at 495 (“The appellate court defers to the factfinder’s credibility determinations and will not reweigh the evidence on appeal.”). While a conviction may rest on the testimony of a single witness who observes a defendant committing a crime, *State v. Miles*, 585 N.W.2d 368, 373 (Minn. 1998), if the witness’s observation is fleeting or limited, it must be corroborated, *State v. Walker*, 310 N.W.2d 89, 90 (Minn. 1981).

The officer’s testimony about his personal observations of Vredenburg operating the vehicle is sufficient direct evidence to sustain the guilty verdict. He stated that a license-plate records check revealed that the vehicle was registered to Vredenburg’s father, that he “could see her face in the rearview mirror” and the side and back of her head as she made a turn at an intersection, and that he recognized Vredenburg based on “prior booking photos.” The officer also identified the driver in the courtroom and stated that she was sitting next to defense counsel. We assume that the jury believed the officer’s testimony, decline to reweigh the evidence, and defer to the factfinder’s credibility determination in favor of the officer. *See King*, 990 N.W.2d at 421; *see also Olson*, 982 N.W.2d at 495.

Although Vredenburg maintains that the officer’s observations were fleeting and limited because the period “that led him to identify Vredenburg as the driver was approximately 13 seconds,” we have held that observation “from close range, with adequate light, for ten to thirteen seconds . . . [is] more than a fleeting opportunity for identification.” *State v. Thompson*, 414 N.W.2d 580, 583 (Minn. App. 1987), *rev. denied* (Minn. Jan. 15, 1988). But even if the officer’s observation were fleeting and limited, there is adequate corroboration. *See Walker*, 310 N.W.2d at 90. Along with his testimony that

the vehicle was registered to Vredenburg's father, the officer's identification of Vredenburg is corroborated by the squad-car video. That exhibit shows the officer following the vehicle for thirty seconds at a close distance and shining a spotlight into it, which illuminated the rearview mirror and allowed the officer to observe the driver's face, as well as the side and back of her head, during a period of roughly 13 seconds. The video also depicts the officer's contemporaneous identification of Vredenburg: "She is in the driver's seat. She'll be fleeing southbound. . . . I have confirmed she was in the driver's seat."

Viewing the evidence in the light most favorable to the jury's verdict, we conclude that it was sufficient to allow the jurors to reasonably determine that the state proved Vredenburg was driving the vehicle. *See Segura*, 2 N.W.3d at 155. As a result, we will not reverse the guilty verdict on this basis. *See Olson*, 982 N.W.2d at 495–96.

II. The district court did not plainly err in admitting testimony and allowing argument about Vredenburg's booking photos.

Vredenburg asserts that the district court plainly and prejudicially erred by admitting unobjected-to testimony and allowing argument about her booking photos, which she claims was unnoticed, unproven, and unfairly prejudicial *Spreigl* evidence. In response, the state maintains that the officer's "unobjected-to testimony that he recognized Vredenburg from prior booking photos does not require reversal under the plain-error doctrine." The state's argument is persuasive.

Appellate courts review claims of unobjected-to evidentiary error under the plain-error doctrine. *State v. Martens*, 18 N.W.3d 752, 757 (Minn. 2025). "Under the plain-error

doctrine, the appellant must establish (1) an error, (2) that is plain, and (3) that affects the appellant's substantial rights." *Id.* (quotation omitted). "If these three requirements are met, [an appellate court] may correct the error only when it seriously affects the fairness, integrity, or public reputation of judicial proceedings." *Id.* (quotation omitted). "An error is plain if it 'contravenes case law, a rule, or a standard of conduct.'" *State v. Simion*, 745 N.W.2d 830, 843 (Minn. 2008) (quoting *State v. Ramey*, 721 N.W.2d 294, 302 (Minn. 2006)). "Under the plain error rule, if [an appellate court] find[s] that any one of the requirements is not satisfied, [it] need not address any of the others." *State v. Lilienthal*, 889 N.W.2d 780, 785 (Minn. 2017) (quotation omitted).

"Eliciting an officer's testimony that [the officer] knows the defendant from prior contacts is error if the defendant's identity is not an issue in the case." *State v. Valentine*, 787 N.W.2d 630, 641 (Minn. App. 2010) (citation omitted), *rev. denied* (Minn. Nov. 16, 2010); *see also State v. Strommen*, 648 N.W.2d 681, 686–88 (Minn. 2002) (holding that, when an officer testified that he knew the defendant from prior contacts and another witness stated that the defendant had killed someone and been charged for that crime, the error in eliciting this testimony was plain). In *Valentine*, "we agree[d] with appellant that [unobjected-to] admission of the officer's testimony that he knew him from prior contacts was error because appellant's identity was not at issue in the case" but observed that "[w]hether the error was plain [was] a closer question because, unlike in *Strommen*, the officer's statements that he knew appellant from prior contacts was not coupled with an earlier, inadmissible statement that appellant had committed a crime." 787 N.W.2d at 641.

Here, Vredenburg's identity was at issue given the elements of the offense and the defense's challenge to the state's evidence of her identification as the driver through cross-examination and closing argument. As in *Valentine* and unlike *Strommen*, the officer's testimony was "not coupled with an earlier, inadmissible statement that [Vredenburg] had committed a crime." *Id.* Vredenburg has not identified precedential authority holding that, in circumstances analogous to the facts before us, a district court plainly and prejudicially errs by admitting unobjected-to testimony and allowing argument about a defendant's booking photos because they are unnoticed, unproven, and unfairly prejudicial *Spreigl* evidence. Nor are we aware of such authority.

Moreover, Vredenburg does not challenge the district court's decision to allow the state to present testimony that "[t]here was probable cause to arrest her" because "she had a warrant at the time." The officer's statements about the booking photos logically explained both how he identified Vredenburg during the incident and how he knew what the person with the warrant looked like, without adding more about the basis for the warrant.

Given the specific facts of this case, the state did not "contravene[] case law, a rule, or a standard of conduct," *Simion*, 745 N.W.2d at 843, in offering the officer's testimony that he identified Vredenburg "through prior booking photos" and in rebutting the defense's challenge to her identification by arguing that the officer "recognized her based on prior booking photos." Thus, the district court's decision to admit testimony and allow argument about Vredenburg's booking photos was not plainly erroneous. *See id.* Because Vredenburg has not established plain error—the first two prongs of the plain-error

doctrine—we “need not address any of the others.” *Lilienthal*, 889 N.W.2d at 785 (quotation omitted).

Affirmed.