

*This opinion is nonprecedential except as provided by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
A25-0357**

State of Minnesota,
Respondent,

vs.

Miguel Angel Rodriguez,
Appellant.

**Filed February 17, 2026
Affirmed in part, reversed in part, and remanded.
Jesson, Judge***

Nobles County District Court
File No. 53-CR-23-645

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

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Travis J. Smith, Special Assistant County Attorney, Slayton, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Roy G. Spurbeck, Assistant
Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Bentley, Presiding Judge; Bratvold, Judge; and Jesson,
Judge.

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

NONPRECEDENTIAL OPINION

JESSON, Judge

This case arises from appellant Miguel Angel Rodriguez’s failure to apprise his supervising corrections agent of a change in address, which resulted in a conviction for failure to fulfill the requirements of predatory-offender registration. On appeal, Rodriguez argues that the district court (1) failed to adequately advise him of his right to a jury trial, rendering his waiver of that right invalid; and (2) erred when it concluded that he was ineligible for supervised release and must instead serve his entire 16-month sentence in custody. Because we conclude that the district court advised Rodriguez of his right to a jury trial in accordance with applicable caselaw and Minnesota Rule of Criminal Procedure 26.01, we affirm in part. But because the phrase “full term of imprisonment” in Minnesota Statutes section 243.166, subdivision 5(e) (2022), does not preclude supervised release, we reverse in part and remand for sentencing.

FACTS

Rodriguez was convicted of third-degree criminal sexual conduct in 2019. As a result, he was required to register as a predatory offender for ten years. One of the requirements of registration was that Rodriguez must report any changes of address “to the assigned corrections agent or to the law enforcement with which [he] . . . [was] registered” at least five days before moving. Minn. Stat. § 243.166, subd. 3(b) (2022).

In May 2023, Rodriguez’s supervising corrections agent lost contact with Rodriguez. It was later determined that Rodriguez’s landlord evicted him and that Rodriguez moved without notifying his corrections agent or law enforcement. Respondent

State of Minnesota charged Rodriguez with “knowingly commit[ting] an act or fail[ing] to fulfill a [registration] requirement.” Minn. Stat. § 243.166, subd. 5(a)(1) (2022).

In a pretrial hearing, Rodriguez attempted to waive his right to a jury trial on the charge:

DEFENSE COUNSEL: Mr. Rodriguez, did you and I talk about your right to have a jury trial in this case?

RODRIGUEZ: Yes.

DEFENSE COUNSEL: And did we also talk about your right to waive a jury and have a judge decide your case?

RODRIGUEZ: Yes.

DEFENSE COUNSEL: What is your decision?

RODRIGUEZ: Waive jury.

DEFENSE COUNSEL: Okay. Your Honor, we did speak about this prior, ah, I think we—Defendant and I spoke last week about this. So, he would be waiving his right to a jury and we’d be requesting a court trial.

. . . .

THE COURT: All right, then, Mr. Rodriguez, you understand then that I would be making the findings of guilt and whether or not the State proved all the elements beyond a reasonable doubt instead of having to have all members of a jury agree in order for that to happen?

RODRIGUEZ: Yes, ma’am.

THE COURT: And is that what you want?

RODRIGUEZ: Yes.

THE COURT: Okay. . . .

In the subsequent court trial, the district court found Rodriguez guilty. The court also sentenced him to a 16-month executed prison sentence, which was stayed pending appeal, and concluded that, under Minnesota Statutes section 243.166, subdivision 5(e), he was ineligible for supervised release and was instead required to serve the entire sentence in custody.

Rodriguez appeals.

DECISION

I. Rodriguez validly waived his right to a jury trial.

Rodriguez contends that the district court's advisory on the right to a trial by jury was insufficient to ensure that his waiver was knowing, intelligent, and voluntary as required by the United States and Minnesota Constitutions. Under both the United States and Minnesota Constitutions, a criminal defendant has the right to a jury trial. *State v. Little*, 851 N.W.2d 878, 882 (Minn. 2014) (citing U.S. Const. art. III, § 2, cl. 3; U.S. Const. amend. VI; Minn. Const. art. I, §§ 4, 6). A defendant may waive their right to a jury trial so long as their waiver is "knowing, intelligent, and voluntary." *Id.*; *see also Brady v. United States*, 397 U.S. 742, 748 (1970). Whether a defendant's waiver was knowing, intelligent, and voluntary is a case-specific inquiry in which we consider "the background, experience, and conduct of the accused." *Little*, 851 N.W.2d at 882. We review the validity of a jury-trial waiver de novo. *See State v. Kuhlmann*, 806 N.W.2d 844, 848-49 (Minn. 2011).

A waiver is per se knowing, intelligent, and voluntary if it satisfies Minnesota Rule of Criminal Procedure 26.01, subdivision 1(2)(a). *State v. Thompson*, 720 N.W.2d 820, 827 (Minn. 2006). Rule 26.01, subdivision 1(2)(a), provides that

[a] defendant, with approval of the court, may waive a jury trial on the issue of guilt provided the defendant does so *personally, in writing or on the record in open court*, after being *advised* by the court *of the right to trial by jury*, and after having had an opportunity to *consult with counsel*.

(Emphasis added.)

The purpose of the advisory requirement is to ensure that “the defendant understands the basic elements of a jury trial,” a prerequisite for a knowing and voluntary waiver. *State v. Ross*, 472 N.W.2d 651, 654 (Minn. 1991). To verify the defendant’s understanding, a district court’s advisory on the right to a trial by jury “must be accompanied by searching questions.” *State v. Osborne*, 715 N.W.2d 436, 442 (Minn. 2006) (quotation omitted). Because the fundamental question is whether a *specific* defendant understands the basics of a jury trial, acceptable colloquies may vary in nature and extent. *Ross*, 472 N.W.2d at 654. And the supreme court has made clear that “[t]here is no need . . . for the defendant to have an exhaustive knowledge of all the doctrinal subtleties of Sixth Amendment jurisprudence.” *Id.* (quotation omitted); *see also State v. Tlapa*, 642 N.W.2d 72, 74 (Minn. App. 2002) (stating that although we “strictly construe[]” rule 26.01, subdivision 1(2)(a), its requirements are “easy to apply” and “mandate[] only a relatively painless and simple procedure to protect a basic right” (quotation omitted)), *rev. denied* (Minn. June 18, 2002).

With this legal backdrop in mind, and after a thorough review of the record, we are satisfied that Rodriguez understood the basic elements of a jury trial. Beginning with the district court's advisory, the court informed Rodriguez that a jury verdict would need to be unanimous ("instead of having all members of a jury agree in order for that to happen") and that, if he waived a jury trial, the district court judge alone would decide guilt or innocence ("I would be making the findings of guilt and whether or not the State proved all the elements beyond a reasonable doubt"). The district court asked Rodriguez whether he understood, and he responded affirmatively.

In addition to the district court's advisory on the right to a jury trial, the record shows that Rodriguez was familiar with the criminal legal system at the time of his waiver. He has several prior convictions as well as five contacts with the district court in this matter prior to his waiver. *See, e.g., Ross*, 472 N.W.2d at 654 (holding that the defendant's jury-trial waiver was knowing, intelligent, and voluntary, in part, because of his prior convictions); *State v. Pietraszewski*, 283 N.W.2d 887, 890 (Minn. 1979) (holding that the defendant's jury-trial waiver was knowing, intelligent, and voluntary, in part, because of his prior contacts with the district court). We also note that there is no indication in the record that Rodriguez required an interpreter or otherwise had difficulty understanding the district court's advisory or the proceedings generally. *See, e.g., Ross*, 472 N.W.2d at 654 (citing *United States v. Delgado*, 635 F.2d 889 (7th Cir. 1981) ("In *Delgado*, for example, the trial judge asked the defendant, a Cuban immigrant unfamiliar with English, only the most perfunctory questions")). On this record, we conclude that Rodriguez

understood the basic elements of a jury trial and that, therefore, he knowingly, intelligently, and voluntarily waived his right to a jury trial.

To persuade us otherwise, Rodriguez argues that the district court should have advised him “of the number of jurors who would comprise the jury, . . . that [a] defendant may participate in the selection of the jurors, that the verdict of the jury must be unanimous, and that if [a] defendant waives the jury, the judge alone will decide guilt or innocence.”¹ To support this assertion, Rodriguez points to *Ross*, in which the Minnesota Supreme Court cited a Seventh Circuit case as providing “helpful guidelines” for a district court’s jury-trial-waiver inquiry:

[T]he Seventh Circuit thought the defendant should be told that a jury trial is composed of 12 members of the community, that the defendant may participate in the selection of the jurors, that the verdict of the jury must be unanimous, and that, if the defendant waives a jury, the judge alone will decide guilt or innocence.

Ross, 472 N.W.2d at 654 (citing *Delgado*, 635 F.2d at 890).

But while the supreme court cited the *Delgado* approach in *Ross*, it expressly declined to impose a checklist for a district court’s advisory on the right to a trial by jury. *Ross*, 472 N.W.2d at 654; *State v. Johnson*, 354 N.W.2d 541, 543 (Minn. App. 1984) (stating that while the *Delgado* explanations are “preferable,” they are “not an absolute requirement”). Accordingly, the fact that the district court did not inform Rodriguez of the

¹ Rodriguez also challenges the form of the district court’s advisory. He argues that the advisory was inadequate due to “the overall leading nature of the questions asked by defense counsel and the court.” But he does not cite any legal authority that says leading questions are discouraged or prohibited in this context.

number of jurors who would comprise the jury or that he could have participated in their selection is not determinative.

In sum, we conclude that the district court advised Rodriguez of his right to a jury trial in accordance with rule 26.01 such that he understood the basic elements of a jury trial. Rodriguez's waiver was knowing, intelligent, and voluntary, and, therefore, valid under the United States and Minnesota Constitutions.

II. The district court erred when it concluded that Rodriguez was not eligible for supervised release.

Minnesota Statutes section 243.166 governs predatory-offender registration. Subdivision 5(e) of that statute provides that “[a] person convicted and sentenced as required by this subdivision is not eligible for probation, parole, discharge, work release, conditional release, or supervised release, until that person has served the *full term of imprisonment* as provided by law.” Minn. Stat. § 243.166, subd. 5(e) (emphasis added). Based on the statutory language “full term of imprisonment,” the district court concluded that Rodriguez was not eligible for supervised release. Both Rodriguez and the state agree that this was error under *State v. Leathers*, 799 N.W.2d 606 (Minn. 2011).

We generally review sentencing decisions for an abuse of discretion. *State v. Thomas*, 590 N.W.2d 755, 759 (Minn. 1999). “But when the question of whether a district court abused its discretion in sentencing turns on the legal meaning of a statute . . . , the underlying question of legal meaning . . . is reviewed de novo.” *Johnson v. State*, 992 N.W.2d 389, 391 (Minn. 2023).

Our de novo review leads us to agree with the parties that neither the Minnesota Statutes nor any precedential Minnesota case defines the language “full term of imprisonment” in section 243.166, subdivision 5(e). But in *Leathers*, the Minnesota Supreme Court interpreted “full term of imprisonment” in the context of a different statute: the 2010 version of the first-degree-assault statute (Minn. Stat. § 609.221, subd. 2(b) (2010)). 799 N.W.2d at 609-11. That statute reads nearly identically to the statute at issue here: both provide that an individual “convicted and sentenced” under the respective provision “is not eligible for probation, parole, discharge, work release, or supervised release, until that person has served the full term of imprisonment as provided by law, notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135.”² Minn. Stat. § 609.221, subd. 2(b) (2010); Minn Stat. § 243.166, 5(e) (2022).

After reviewing this analogous statute in *Leathers*, the supreme court concluded that “‘full term of imprisonment’ . . . means two-thirds of a defendant’s executed prison sentence.” 799 N.W.2d at 611. The supreme court first concluded that “full term of imprisonment” was ambiguous because it could reasonably refer to (A) “the complete or entire duration of a fixed and definite extent of time a person is confined in prison” or (B) “the period of time equal to two-thirds of the inmate’s executed sentence.” *Id.* at 609-10 (emphasis omitted) (quotations omitted). The supreme court then applied the in pari

² There are two inconsequential differences between the statutes that are not relevant to our analysis. The 2010 first-degree-assault statute uses “*defendant* convicted and sentenced as required by this *paragraph*,” whereas the 2022 predatory-offender-registration statute uses “*person* convicted and sentenced as required by this *subdivision*.” Minn. Stat. § 609.221, subd. 2(b) (2010) (emphasis added); Minn Stat. § 243.166, 5(e) (2022) (emphasis added).

materia canon of construction, which “allows two statutes with common purposes and subject matter to be construed together”; and the rule of lenity, which provides that “[a]mbiguity concerning the ambit of criminal statutes should be resolved in favor of lenity.” *Id.* at 611 (quotations omitted). And the court considered the first-degree-assault statute in conjunction with Minnesota Statutes section 244.01 (2010)—which provided a list of terms and definitions applicable to criminal sentences, supervision, and release, and defines “[t]erm of imprisonment” as “the period of time equal to two-thirds of the inmate’s executed sentence.”³ *Id.*; Minn. Stat. § 244.01, subd. 8.

Although *Leathers* involved a different statutory provision, we find no reason to deviate from the supreme court’s analysis. Accordingly, we conclude that “full term of imprisonment” in Minnesota Statutes section 243.166, subdivision 5(e), means two-thirds of a defendant’s executed prison sentence. *See, e.g., State v. Jones*, No. A11-434, 2012 WL 1069880 (Minn. App. Apr. 2, 2012) (adopting the *Leathers* interpretation for a different statute using the language “full term of imprisonment”); *State v. Franklin*, No. A18-0701, 2019 WL 1591762 (Minn. App. Apr. 15, 2019) (holding that “full term of imprisonment” means “a full two-thirds of [a defendant’s] sentence imposed by the district court”).

³ Minnesota Statutes section 244.01, subdivision 8, provides a different definition for “[t]erm of imprisonment” for crimes committed before August 1, 1993.

Under the *Leathers* interpretation, Rodriguez's sentence precluding a supervised-release term is an illegal sentence. Accordingly, we reverse his sentence and remand for resentencing.

Affirmed in part, reversed in part, and remanded.