

*This opinion is nonprecedential except as provided by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
A25-0415**

Sarah Nicole Belich and
on Behalf of Minor Child(ren), petitioner,
Respondent,

vs.

Bradley Thomas Belich,
Appellant.

**Filed January 26, 2026
Affirmed
Florey, Judge***

Anoka County District Court
File No. 02-FA-24-2011

Emmalie H. Brudzinski, Martin & Wagner, P.A., Rogers, Minnesota (for respondent)

Bradley Belich, Maple Grove, Minnesota (pro se appellant)

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

NONPRECEDENTIAL OPINION

FLOREY, Judge

In this appeal from a grant of an order for protection (OFP), appellant argues that the record fails to justify the district court's finding that domestic abuse occurred and that

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

the district court demonstrated bias. Because the district court acted within its discretion in issuing the OFP and appellant fails to demonstrate judicial bias, we affirm.

FACTS

We draw the following facts from the evidence presented at the OFP hearing. During the relevant events, appellant Bradley Thomas Belich and respondent Sarah Nicole Belich were married. They have two minor children. Two incidents underlie the district court's issuance of the OFP.

First, in November 2024, respondent returned home from an appointment, having stopped by a restaurant to pick up food. Appellant was purportedly upset that respondent took too long to return and began yelling at her. At one point, appellant purportedly grabbed respondent's arm. Appellant acknowledges grabbing respondent's arm but contends that he merely did so to calm her.

The second incident occurred in the early morning of December 11, 2024. Shortly before the incident occurred, appellant consumed alcohol. Respondent contends that appellant consumed six shots of alcohol whereas appellant maintains that he consumed three shots of alcohol. Around 1:00 a.m., appellant went upstairs where respondent was sleeping. Appellant woke respondent so that he could use her phone to help locate his phone. While using respondent's phone, he reportedly discovered text messages between respondent and her then future sister-in-law, who was engaged to appellant's brother. Appellant allegedly forbade respondent from contacting this person in the aftermath of a dispute involving appellant, his brother, and the future sister-in-law. After discovering

these messages during this December 11 incident, appellant purportedly threw respondent's phone at her.

As tensions rose, appellant allegedly slapped respondent's thigh. Respondent took a photo of her leg, which depicts red marks. Appellant denies hitting respondent.

According to respondent, appellant turned off the location services on her phone later that morning. Respondent eventually decided to temporarily leave the family home with their younger child. Respondent's sister, believing that respondent was having difficulty leaving the house, requested a welfare check. As law enforcement arrived, appellant told respondent not to answer the door. Respondent spoke with law enforcement and left the home with the child.

The next day, respondent filed a petition for an OFP, seeking protection for herself and the two children. The district court issued an ex parte OFP the following day. In January 2025, the district court held a hearing on the petition and issued the OFP with respect to respondent but denied it with respect to the children. The OFP additionally awarded respondent sole legal and sole physical custody of the children and granted appellant three days of weekly parenting time.

This appeal follows.

DECISION

I. The district court acted within its discretion in issuing the OFP.

Appellant appears to argue that the district court abused its discretion in issuing the OFP because the record does not support a determination that he committed domestic abuse. More specifically, he contends that the district court "misunderst[ood] that intent is

required and in no situation or testimony or any type of photos/videos show any type of intent [sic].” He adds that the photo evidence of a mark on respondent’s leg is inconsistent with markings from a slap, that he proved that respondent lied in the OFP petition and in a police report, that he did not forcefully grab respondent’s arm, and that respondent did not prove domestic abuse by a preponderance of the evidence.

To obtain an OFP, a petitioner must prove by a preponderance of the evidence that an individual has committed domestic abuse. *Isenhower v. Isenhower*, 993 N.W.2d 91, 94 (Minn. App. 2023); *see also* Minn. Stat. § 518B.01, subds. 4, 6 (2024). Domestic abuse includes any of the following committed “against a family or household member by a family or household member: (1) physical harm, bodily injury, or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault;” or (3) various acts within the meaning of certain enumerated crimes. Minn Stat. § 518B.01, subd. 2(a) (2024). Under the preponderance-of-the-evidence standard, “it must be more probable that the fact exists than that the contrary exists.” *Oberg v. Bradley*, 868 N.W.2d 62, 65 (Minn. App. 2015) (quotation omitted).

We review a district court’s grant of an OFP for an abuse of discretion. *Ekman v. Miller*, 812 N.W.2d 892, 895 (Minn. App. 2012). “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). We review the district court’s factual findings for clear error and will not reverse those findings unless they are “manifestly contrary to the weight of the evidence.” *Ekman*, 812 N.W.2d at 895

(quotation omitted). We additionally “defer to the district court’s credibility determinations and do not reconcile conflicting evidence.” *Butler v. Jakes*, 977 N.W.2d 867, 871 (Minn. App. 2022) (quotation omitted).

In granting the OFP, the district court stated that two acts of domestic abuse occurred, explaining:

I’m finding by a preponderance of the evidence that [respondent] has proved that [appellant] committed domestic abuse against her. The evidence proves that [appellant] committed domestic abuse two different ways. The first is that he inflicted physical harm, bodily injury, or committed assault against her, both in the incident on December 11th and on the incident—or during the incident on I believe it was November 1st of 2024.

The district court expressly found respondent credible “based on her demeanor here in court [and] based on the fact that she was exhibiting real and believable emotions while she was testifying.” It added that respondent’s testimony was also “corroborated by the photograph of the mark on her leg.”

The record provides ample support for the district court’s issuance of the OFP. Respondent testified that appellant slapped her leg. The district court found her testimony credible, a finding to which this court defers. *Id.* Additionally, the district court received as evidence a photograph depicting red marks on respondent’s leg. Similarly, respondent testified about another incident in which appellant pulled her arm.

Appellant argues, without providing authority, that respondent provided insufficient evidence of his intent to commit domestic abuse. However, to the extent that there is an implied intent requirement in the statutory definition of domestic abuse, the record contains

sufficient evidence for the district court to have found that appellant acted intentionally in committing the acts of domestic abuse. Therefore, because the record supports the district court's finding that domestic abuse occurred, we find appellant's argument that respondent failed to prove domestic abuse by a preponderance of the evidence unpersuasive. Accordingly, the district court did not abuse its discretion by granting the OFP.

II. The district court did not exhibit bias.

Appellant argues that the district court was biased as demonstrated by its conduct during the hearing and its findings and conclusions underlying the OFP. We disagree.

Appellate courts presume that district court judges properly discharge all judicial duties. *Hannon v. State*, 752 N.W.2d 518, 522 (Minn. 2008). “[T]he record as a whole” must exhibit judicial bias rather than merely “[p]revious adverse rulings.” *Id.* “[C]ritical or disapproving” remarks generally fall short of “display[ing] a deep-seated favoritism or antagonism that would make fair judgment impossible.” *Byers v. Comm’r of Revenue*, 735 N.W.2d 671, 673 (Minn. 2007) (quotation omitted). In *McClelland v. McClelland*, 359 N.W.2d 7, 11 (Minn. 1984), the supreme court concluded that the district court judge did not demonstrate bias despite allegations that she “inappropriately interjected herself into the questioning of one of the witnesses, interrupted the testimony of appellant’s expert, prematurely stopped further inquiry into the wife’s marital and nonmarital assets, and refused to make a record of her comments made in chambers.”

Appellant raises several arguments in support of his contention that the district court exhibited bias. We address each in turn.

Prejudging Outcome of Proceedings

Appellant argues that the district court prejudged the outcome of the hearing by agreeing that appellant was “encouraged” to commit domestic abuse. This exchange occurred in the context of an objection by appellant’s counsel to a question by respondent’s counsel about whether appellant’s mother previously experienced domestic abuse. Respondent’s counsel attempted to justify the relevance of the proposed question by stating “if [appellant] has support systems that have also engaged and had conflicts like this in the past, it may not only be a learned behavior but also an encouraged one.” In response to this explanation, the district court sustained the objection, stating, “I understand what you’re saying, but I’m going to sustain the objection.” Contrary to appellant’s argument, this statement merely indicates that the district court understood the rationale of the question despite sustaining the objection, not that it prejudged the outcome of the hearing by indicating that appellant was “encouraged” to commit domestic abuse.

In arguing that the district court prejudged testimony, appellant additionally points to a statement in which the district court told him, “I don’t believe you.” However, the full context of the exchange demonstrates that the district court was attempting to manage appellant’s conduct during hearing rather than prejudging the outcome of the hearing:

THE COURT: Mr. Belich, you keep your head up here. You do not look back there.

APPELLANT: My apologies.

THE COURT: You understand that?

APPELLANT: I did not know that. I understand fully.

THE COURT: I don’t believe you. Okay?

APPELLANT: Okay.

THE COURT: Knock it off. You’ve been demonstrably looking around and having reactions this whole morning. Stop.

Appellant relatedly contends that the district court “screamed” this statement at him and, at a different point during the hearing, separately shouted “stop” at him. However, the district court has significant discretion to address potentially disruptive behavior during a hearing. *See State v. Lindsey*, 632 N.W.2d 652, 658 (Minn. 2001) (“Because an appellate court cannot glean from a transcript the atmosphere or particular threats to order and decorum in the courtroom, [district] courts are vested with broad discretion in deciding matters of courtroom procedure.”). The above statements reflect that, in making the challenged statements, the district court’s purpose was to prevent disruptive behavior.¹ A separate portion of the hearing bolsters this interpretation, in which the district court stated: “Before cross-exam I just want to make a quick record. I told [appellant] [to] stop twice. I did that because he had a rather demonstrative reaction towards [respondent’s] answers. I just wanted to make sure the record was clear about that.” Assuming that appellant is correct that the district court raised its voice at him, this action does not constitute bias when considering the district court’s discretion in managing courtroom decorum. Appellant contends that he acted properly, stating that he needed to stretch and that he “would look around occasionally because [he] had to listen to lies and embellishments.”

¹ Appellant relatedly argues that the “I don’t believe you” comment, when read in tandem with a comment referring to the “incident on November 1st of 2024,” indicates that the district court followed through on the “I don’t believe you” comment by finding that he committed domestic abuse on this occasion. As described above, the “I don’t believe you” comment does not show prejudgment, and the subsequent comment similarly fails to show prejudgment on its own.

Given the evidence of his improper courtroom conduct, this statement, without more, fails to show that the district court acted improperly or otherwise demonstrated bias.²

Purported Violation of a Right to Cross-Examine Witnesses

Appellant additionally argues that, by allegedly instructing him to “face forward and be quiet,” the district court prevented him from cross-examining witnesses. Appellant’s argument lacks merit because he was represented by counsel and the record reflects that appellant’s counsel cross-examined each of respondent’s witnesses.

Purported Violation of the Americans with Disabilities Act (ADA)

Appellant suggests that the district court—both the judge who presided over the HRO hearing and the judge who issued the ex parte HRO—exhibited bias when they violated the ADA by removing or attempting to remove his dog, a registered service animal, without proper process. However, appellant forfeits this argument by failing to raise it before the district court. *See Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988) (“A reviewing court must generally consider only those issues that the record shows were

² Appellant relatedly argues that certain comments that the district court made about his behavior demonstrate bias. He points to the district court’s statement that his “conduct here in court suggests to me that he likely abused her that day.” Appellant seems to contend that this statement shows that the district court showed unwarranted hostility toward him that impacted its decision. Because the record supports the district court’s issuance of the OFP and appellant fails to show how this statement demonstrates unwarranted hostility, this argument lacks merit.

Appellant relies on an additional statement in which the district court said, “[i]f that’s you calm and sober, sir, I have real, real concerns about your conduct when you are drunk or when you are having an incident.” Critical or disapproving remarks, without more, generally do not rise to bias. *See Byers*, 735 N.W.2d at 673. For the same reason, the district court’s comment “[i]f that’s how he acts impaired in front of the kids” fails to demonstrate bias.

presented [to] and considered by the [district] court in deciding the matter before it.” (quotation omitted)).

Interactions with Witnesses

Appellant asserts that the district court cut off witnesses and guided witnesses on how to answer questions. He fails to identify a portion of the transcript in which the district court cut off a witness outside the context of managing the hearing or controlling admission of evidence. Regarding the allegation that the district court improperly guided witnesses, appellant points to a portion of the transcript in which the district court responded to an asked-and-answered objection to a question about the timeline of the events. In overruling the objection, the district court told the witness, “if you know a more specific answer, you can give it. If you don’t know--.” The district court was not suggesting how the witness should answer the question but rather indicated that the witness could answer counsel’s question.

Potential Hearing Postponement

Appellant contends that the district court became angry and impatient because he did not want to continue the OFP hearing. He relies on a portion of the transcript in which the district court addressed an off-the-record conversation regarding scheduling in case the hearing did not conclude within the allotted time. In a different portion of the transcript, the district court noted that it had a calendar that afternoon, meaning that it might have been necessary to reschedule if the parties did not finish before the calendar. There is no indication that the district court acted improperly in noting these scheduling concerns or that it acted with anger toward appellant due to scheduling concerns.

Evidentiary Decisions

Appellant argues that the district court demonstrated bias based on several evidentiary decisions. He first alleges that the district court exhibited bias by requiring that he answer a question regarding corporeal punishment of the children after the district court dismissed the OFP petition as to the children. The relevant exchange occurs in the context of a line of questioning into the nature of a dispute between appellant and his brother over appellant's discipline of the children. It was this dispute that led to appellant to prohibit respondent from contacting his brother or his brother's fiancée, which in turn led to the December 11 incident. To the extent that appellant argues that the district court was biased when overruling his counsel's objection to this question, this argument lacks merit because the dispute gives context into the December 11 incident. *See* Minn. R. Evid. 403 (explaining that relevant evidence is generally admissible absent a showing that the probative value is "substantially outweighed" by certain considerations).

Appellant next points to an exchange in which the district court allegedly allowed opposing counsel to ask the "same" question after sustaining an objection to that question. However, the district court, in sustaining an objection to a question on the basis that it was leading, instructed counsel to "allow [respondent] to answer the question." Counsel then addressed its preobjection question and asked respondent to clarify her answer. Rather than allowing counsel to repeat the same question, the district court's instructions merely allowed counsel to resume a line of questioning in a nonleading fashion.

Appellant additionally asserts that the district court demonstrated bias by sustaining an objection to a witness's answer to a question addressing his demeanor. He suggests that

this answer was leading to relevant information that he merely intended to grab respondent's phone rather than slap her. In the context of the hearing, respondent's counsel objected after a witness's answer began to assign respondent fault for communication breakdowns in the marriage. This adverse evidentiary ruling, without more, does not constitute bias. *See Hannon*, 752 N.W.2d at 522.³

Misinterpreting Testimony

Appellant argues that the district court, in weighing the best-interests factors for modifying custody, misinterpreted testimony by stating that appellant “prevent[s] [respondent] from allowing the children to have contact with her side of the family.” *See* Minn. Stat. § 518.175, subd. 5 (2024) (addressing requirements for modifying custody); Minn. Stat. § 518.17, subd. 1 (2024) (listing best-interests factors). This statement, however, is an accurate interpretation of respondent's testimony. Respondent testified that appellant told her, “if [she] were to stay that he'd have access to [her] phone, that we're going to have really strict boundaries with [her] parents, that they wouldn't be allowed to see the kids unless they came to the house.” It was within the district court's purview to interpret these “strict boundaries” as operating to prevent respondent's family from having contact with the children. *See Vangsness v. Vangsness*, 607 N.W.2d 468, 472 (Minn. 2000)

³ Appellant relatedly contends that the district court demonstrated bias by allowing embellished or false testimony and by not disregarding falsified information in the OFP petition and in a police report. Because appellant fails to identify the portions of the testimony that contain false statements or embellishments and there is no indication that the police report was received into evidence or considered, we find this argument unpersuasive. *See Schoepke v. Alexander Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (Minn. 1971) (explaining that appellate courts generally do not consider assignments of error “based on mere assertion”).

(explaining that a finding is clearly erroneous “if the reviewing court is left with the definite and firm conviction that a mistake has been made” (quotations omitted)). Appellant therefore fails to demonstrate bias with respect to this statement.⁴

Ignoring Favorable Evidence and Crediting Unfavorable Evidence

Appellant contends that the district court exhibited bias by ignoring favorable evidence and crediting unfavorable evidence. As an example, appellant maintains that the district court ignored an allegation that respondent did not show up to child pickup because she was celebrating the New Year’s holiday. Appellant does not demonstrate how the failure to address this statement constitutes bias or how it was relevant to determining whether respondent met her burden of showing that he engaged in domestic abuse.

He additionally challenges the district court’s interpretation that the marks on respondent’s leg were caused by appellant slapping her rather than by respondent poking herself. As stated above, this court defers to the district court’s credibility finding that respondent credibly testified that appellant slapped her leg. *Butler*, 977 N.W.2d at 871. Additionally, the photo of the marks on respondent’s leg does not compel a conclusion that the district court was required to find that the marks were the result of respondent poking herself.

⁴ Appellant additionally points to a statement by the district court that it “didn’t hear a lot on this specific [best-interests] factor” as showing that the district court agreed that he did nothing wrong. However, the district court made this comment in reference to a best-interests factor for modifying custody, not with respect to whether appellant committed domestic abuse.

Appellant further contends that the district court displayed bias by intentionally disregarding corroborating stories and call logs. Again, appellant fails to show that the district court must have credited this purportedly corroborating information and that a failure to do so constitutes bias.⁵

Additionally, because the record as a whole must demonstrate bias, *Hannon*, 752 N.W.2d at 522, and the district court made a significant ruling in appellant's favor by granting his motion to dismiss the OFP petition with respect to the children, appellant's arguments regarding these isolated incidents do not demonstrate a pattern of bias.⁶

Affirmed.

⁵ Appellant relatedly argues that the district court made the custody determination solely because of bias. To the extent that appellant frames this argument as a separate basis for determining bias, he fails to advance an argument for this contention. See *Schoepke*, 187 N.W.2d at 135.

Appellant further argues that the district court's requirement that he maintain medical insurance for the children stems from bias. However, the OFP omits a medical-insurance requirement and, in any event, he fails to demonstrate that the district court acted with bias.

⁶ Appellant gives passing reference to his attorney having a conflict because "he did contract public work for those judges." He also said that he "had attorney negligence" because his counsel failed to object to certain statements, was ill-prepared, and failed to submit certain items as evidence. Because he failed to present this argument to the district court, this argument fails to present a basis for relief. See *Thiele*, 425 N.W.2d at 582.

Appellant additionally requests that this court order the parties to split all tax refunds. Appellant did not present this issue to the district court nor does he provide authority indicating that this court can, and should, grant this request on appeal from an OFP. See *id*; *Schoepke*, 187 N.W.2d at 135.