

*This opinion is nonprecedential except as provided by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
A25-0462**

State of Minnesota,
Respondent,

vs.

Joel Alejandro Escamilla,
Appellant.

**Filed May 26, 2026
Affirmed in part, reversed in part, and remanded
Wheelock, Judge**

Wright County District Court
File No. 86-CR-22-5685

Keith Ellison, Attorney General, Lydia Villalva Lijó, Assistant Attorney General, St. Paul, Minnesota; and

Brian Lutes, Wright County Attorney, Buffalo, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Jennifer Workman Jesness, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Smith, Tracy M., Presiding Judge; Wheelock, Judge;
and Smith, John, Judge.*

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

NONPRECEDENTIAL OPINION

WHEELLOCK, Judge

Appellant Joel Alejandro Escamilla contests his conviction for criminal sexual conduct, arguing that the district court erred by denying his *Batson*¹ challenge to respondent State of Minnesota's use of a peremptory strike of a prospective juror. Escamilla asserts that (1) he made a prima facie showing that the strike was racially motivated, (2) the state's purportedly race-neutral explanations were pretextual and not supported by the record, and (3) the state engaged in disparate treatment of the juror in question. Alternatively, Escamilla argues that the district court erred in imposing a lifetime conditional-release term because he had no prior sex-offense convictions. We affirm in part, reverse in part, and remand for resentencing.

FACTS

In October 2024, the state charged Escamilla by amended complaint with (1) criminal sexual conduct (CSC) in the first degree involving multiple acts of penetration over an extended period of time with a victim under the age of 16 with whom he had a

¹ *Batson v. Kentucky*, 476 U.S. 79, 96-98 (1986), established a three-step test for determining whether a peremptory strike violated the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. The Minnesota Supreme Court amended Minnesota Rule of Criminal Procedure 26.02, which applies to jury selection, and the amendments became effective March 1 and July 1, 2025. *Order Promulgating Amendments to the Minnesota General Rules of Practice for the District Courts and the Minnesota Rules of Criminal Procedure*, No. ADM10-8049 (Minn. Mar. 18, 2025); *Order Promulgating Amendments to the Minnesota Rules of Criminal Procedure*, No. ADM10-8049 (Minn. Dec. 20, 2024). Because these amendments were not effective at the time the district court considered and ruled on Escamilla's objections to the state's use of its peremptory strikes during the October 2024 trial, our citations to rule 26.02 herein refer to the version of the rule in existence before the 2025 amendments became effective.

significant relationship, in violation of Minn. Stat. § 609.342, subd. 1(h)(iii) (2018), and (2) CSC in the second degree involving multiple acts of sexual contact over an extended period of time with a victim under the age of 16 with whom he had significant relationship, in violation of Minn. Stat. § 609.343, subd. 1(h)(iii) (2018).²

In October 2022, two officers were dispatched to a residence in response to a report of CSC. At the residence, one of the officers spoke with the mother of the minor victim, Child A, who was 11 years old at the time of the report. Child A's mother told the detective that she and Escamilla were engaged in divorce proceedings and have two children together and that Child A is her daughter from a previous marriage. Child A's mother said that she was at a store that day with Child A and Child A's younger brother when Child A said to her, "Mom, if you talk to the police can we tell them that Joel has been touching me." Child A told her mother that Escamilla had been sexually abusing her for some time and that, at one point, Escamilla told Child A he was "worried that he would get [Child A] pregnant." Child A's mother took both children home and called the police.

Child A then participated in a forensic interview regarding the abuse in which she stated that Escamilla began sexually abusing her at age seven, the abuse continued until she was 11 (Child A's age at the time of the interview), and Escamilla told her not to tell her mother. Child A explained that Escamilla threatened that, if she told her mother about the abuse, Escamilla would inform Child A's mother that Child A was using Instagram and TikTok, which she was prohibited from doing. Child A reported that the abuse began with

² The state initially charged Escamilla with 11 counts of CSC.

Escamilla touching her chest and escalated to him penetrating her, first with his fingers and then with his penis.

Escamilla's case proceeded to a jury trial. During voir dire, both attorneys used peremptory strikes against potential jurors and Escamilla raised a *Batson* challenge to one of the state's strikes. The district court dismissed the challenge. The jury ultimately found Escamilla guilty of both charges, CSC in the first and second degrees.

At sentencing, Escamilla moved for dispositional and durational departures from the presumptive sentence under the Minnesota Sentencing Guidelines. The district court denied Escamilla's motions for sentencing departures, entered judgment of conviction for first-degree criminal sexual conduct only, concluding that sexual contact was included in sexual penetration, and imposed the presumptive sentence of 144 months' imprisonment along with a lifetime conditional-release term.

Escamilla appeals.

DECISION

Escamilla asserts that the district court erred in three ways when it denied his *Batson* challenge: the prosecutor's strike of juror 26 was racially motivated, the prosecutor's race-neutral explanation was not supported by the record, and the prosecutor treated the stricken juror differently from her white counterparts. Escamilla argues in the alternative that, if we affirm the *Batson* challenge and his conviction, a reversal and remand of his sentence is still warranted because the lifetime conditional-release term was improperly imposed. We address each argument in turn.

I. The district court did not err in denying Escamilla’s *Batson* challenge.

A party may use a peremptory challenge “to strike a prospective juror that the party believes will be less fair . . . [and] to select as final jurors the persons they believe will be most fair.” *State v. Martin*, 773 N.W.2d 89, 100 (Minn. 2009) (quotation omitted). The Equal Protection Clause prohibits a party from using a peremptory challenge to strike a prospective juror because of their race. *Id.* at 100-01; U.S. Const. amend. XIV, § 1; *see also Batson*, 476 U.S. at 85-86. If an appellate court determines that a peremptory strike was racially motivated, the defendant is automatically entitled to a new trial. *State v. Carridine*, 812 N.W.2d 130, 136-37 (Minn. 2012).

The United States Supreme Court established a three-step framework for determining whether a peremptory challenge is motivated by racial discrimination. *Batson*, 476 U.S. at 96-98. Minnesota courts have adopted that framework, which involves the following steps:

[O]nce the opponent of a peremptory challenge has made out a prima facie case of racial discrimination (step one), the burden of production shifts to the proponent of the strike to come forward with a race-neutral explanation (step two). If a race-neutral explanation is tendered, the trial court must then decide (step three) whether the opponent of the strike has proved purposeful discrimination.

State v. Blanche, 696 N.W.2d 351, 364-65 (Minn. 2005) (quoting *Purkett v. Elem*, 514 U.S. 765, 767 (1995)); *see also* Minn. R. Crim. P. 26.02, subd. 7(3).

We give great deference to the district court’s ruling on a *Batson* challenge, recognizing that the record may not reflect all of the relevant circumstances that the court may consider. *State v. White*, 684 N.W.2d 500, 506 (Minn. 2004); *State v. Taylor*,

650 N.W.2d 190, 200-01 (Minn. 2002). However, if a *Batson* challenge is “improperly conducted,” we perform a de novo review of the district court’s analysis. *See State v. Pendleton*, 725 N.W.2d 717, 725-26 (Minn. 2007) (observing that a district court’s review of a *Batson* challenge was “not in accordance with our *Batson* precedent” because, instead of making a determination whether the appellant had shown a prima facie case of racial discrimination after they gave their reasoning for the objection, the district court allowed the state to respond to the challenge and the appellant to make a rebuttal before it ruled). We will not reverse a district court’s *Batson* ruling “solely because of its failure to follow the prescribed procedure.” *Id.* at 726 (citing *State v. Reiners*, 664 N.W.2d 826, 832-34 (Minn. 2003)); *see also State v. Onyelobi*, 879 N.W.2d 334, 347 n.11 (Minn. 2016); *State v. Harvey*, 932 N.W.2d 792, 811 (Minn. 2019) (citing *Onyelobi* for this principle). But “where the district court erred in applying *Batson*, we will examine the record without deferring to the district court’s analysis.” *Pendleton*, 725 N.W.2d at 726.

During voir dire, as relevant on appeal, the district court brought the potential jurors into the courtroom as a group for questioning. Two of the potential jurors identified as persons of color, while the rest of the potential jurors identified as white with no Hispanic origin.³ One of the potential jurors, juror 26, identified as Hispanic.⁴ The attorneys took

³ One potential juror marked her race as white on the questionnaire but did not make any indication about Hispanic origin. This juror served as an alternate and was dismissed before jury deliberation.

⁴ Escamilla identifies as Hispanic and required a Spanish interpreter at trial.

turns asking the potential jurors questions about relevant topics, including their personal relationships and professions.

Juror 26 spoke only a few times during questioning. She said that her husband had been in the Navy, and she responded to the district court's inquiry whether any potential jurors or anyone close to them had ever been accused of a crime:

THE COURT: And then we'll go back to [juror 26]. I believe you had your hand up.

JUROR 26: My husband had DUI.

THE COURT: Your husband had a DUI. Whereabouts was that?

JUROR 26: Hennepin County.

THE COURT: And how many years ago?

JUROR 26: Fifteen years ago, or longer, I cannot remember.

THE COURT: All right. Were you satisfied with the outcome in that case?

JUROR 26: Yes.

THE COURT: Do you hold any positive or negative feelings towards the state—

JUROR 26: No.

THE COURT: —the defense, law enforcement, or the courts? All right. Anything else? All right.

The next, and final, exchange involving juror 26 was about her profession as a medical assembler in response to a question from Escamilla's attorney.

ESCAMILLA'S COUNSEL: [Juror 26], medical assembler, it says, can you tell me a little bit about what you do?

JUROR 26: Just assemble medical devices.

ESCAMILLA'S COUNSEL: Medical devices?

JUROR 26: Mm-hmm.

ESCAMILLA'S COUNSEL: Have you ever done any other kind of work other than that?

JUROR 26: Prior to that, I did housekeeping.

ESCAMILLA’S COUNSEL: Housekeeping?

JUROR 26: Yes.

ESCAMILLA’S COUNSEL: Thank you.

When the attorneys asked questions of the entire group of potential jurors and gave them time to make comments, juror 26, like a few other potential jurors, did not raise her hand or make any comments.

After the attorneys finished questioning them, the potential jurors were excused so the parties could conduct jury challenges outside their presence. When the prosecutor used a peremptory strike to remove juror 26, Escamilla brought a *Batson* challenge to the strike, asserting that the prosecutor “struck the only Hispanic member of the panel.” The prosecutor promptly stated, “I can give you my reasons why I struck her right now,” and the district court allowed the prosecutor to do so. The prosecutor claimed that, because juror 26 was silent during questioning and was not very responsive, the prosecutor was not confident that juror 26 could serve as an effective juror—“[Juror 26] uttered almost—not a single word. Was one of the quietest people in terms of responding, seemed to have the least affirmative amounts of reactions and responses to questions.” The prosecutor went on to say that the strike “had nothing to do with her ethnicity, gender, or any other subjects such as that, and had everything to do with the content, or frankly, the lack of content and responsiveness during our questioning. . . . [The] reasoning for striking her is sound and not based on prejudicial reasons.”

Escamilla’s counsel responded that multiple other jurors, including juror 1, also had provided minimal responses and that “there are several other jurors, all white, all—mostly

men, who gave no more, and [counsel] would suggest less information than [juror 26] volunteered, and that on its face, that isn't a valid reason to reject [juror 26], the only Hispanic member of the panel, as a juror."⁵ The prosecutor then requested to make a rebuttal, which the district court allowed. The prosecutor stated that Child A was also Hispanic and that striking the only Hispanic member of the jury "doesn't cut either way for the defendant, given the ethnicity of some other witnesses in the case," and he asserted that he was already planning to strike juror 1.

Escamilla argued that the district court should determine that there was a *prima facie* case of a racially motivated strike and that the reasons offered by the state for the strike were not sufficient. After taking a brief recess, the district court reconvened the proceeding on the record and made the following ruling:

I'm not going to find that there's a *prima facie* case of racial discrimination based on [juror 26] being stricken. Further, I'm going to find that if there was a *prima facie* case found, that [the prosecutor] also did give a race neutral explanation for the strike. I will note that the race neutral explanation may only be related to the case and not inherently discriminatory, and it does also follow with the questioning and answers of the panel we have heard today.

The parties then continued with peremptory strikes.

The district court's review of Escamilla's *Batson* challenge was improper because it did not make a determination whether a *prima facie* case of racial discrimination had

⁵ Escamilla's counsel noted multiple other potential jurors who provided minimal responses, including jurors 1, 11, 13, 21, and 27. However, on appeal, Escamilla relies on answers from only jurors 13, 21, and 27. Juror 27 did not end up serving on the jury but was an alternate juror before being excused from deliberation at the end of trial.

been shown immediately after Escamilla raised the *Batson* challenge. Instead, it allowed the state to give its reasoning for the strike and then heard Escamilla’s rebuttal, followed by the state’s final rebuttal, then took a recess and made its decision on the challenge. We therefore apply a de novo standard of review. *See Pendleton*, 725 N.W.2d at 725-26.

A. Whether Escamilla established a prima facie case of racial discrimination is moot.

Typically, a reviewing court first determines whether the appellant established a prima facie case of racial discrimination by showing “(1) that a member of a protected racial group has been peremptorily excluded from the jury and (2) that circumstances of the case raise an inference that the exclusion was based on race.” *Id.* at 726 (quotation omitted). “The state’s use of a peremptory challenge to remove a member of a racial minority, alone, does not establish a prima facie case.” *Id.*

The state argues that prong one is moot on appeal pursuant to the ruling in *State v. Lufkins* because the district court proceeded to the second and third steps of the *Batson* test before it determined that there had been a prima facie showing. 963 N.W.2d 205, 210 (Minn. 2021) (concluding that, because the district court proceeded to steps two and three of the analysis, step one was moot on appeal). We agree that *Lufkins* applies and that whether Escamilla established the first prong of the *Batson* challenge is moot in this appeal.

B. The state offered a race-neutral explanation for the strike.

Once a prima facie case has been established, the “burden of production shifts” to the state to offer a race-neutral explanation for the strike. *Pendleton*, 725 N.W.2d at 726. “Race-neutral explanations do not have to be persuasive, or even plausible. Rather, the

explanation will be deemed race-neutral unless a discriminatory intent is inherent in the prosecutor's explanation." *Id.* (quotations omitted). Both parties agree that the prosecutor offered a valid, race-neutral explanation for the strike. As a race-neutral explanation for the strike was given and the parties do not assert otherwise on appeal, the second prong of the *Batson* analysis is satisfied.

C. Escamilla has not proved purposeful discrimination.

The third and final step of the *Batson* analysis requires that we determine whether Escamilla proved purposeful discrimination. *Id.* (citing *Blanche*, 696 N.W.2d at 364-65). To do so, we must "determine[] whether the defendant carried his burden of proving that the peremptory strike was motivated by racial discrimination and that the proffered reasons were merely a pretext for the discriminatory motive." *Taylor*, 650 N.W.2d at 202; *accord Lufkins*, 963 N.W.2d at 210. "One way to show purposeful discrimination is to show that a prosecutor's proffered reason for striking a prospective minority juror applies equally to a similar non-minority who is permitted to serve." *State v. Bailey*, 732 N.W.2d 612, 618 (Minn. 2007) (citing *Miller-El v. Dretke*, 545 U.S. 231, 241 (2005)). We review the record to determine if Escamilla met his burden of proving purposeful discrimination. *See State v. Seaver*, 820 N.W.2d 627, 633 (Minn. App. 2012) (explaining that we review the record without deferring to the district court's analysis when the prescribed procedure for a *Batson* challenge was not properly followed).

Escamilla argues that the prosecutor's proffered reason for the strike was pretext for racial discrimination because the prosecutor did not strike jurors who were not Hispanic—namely jurors 13, 21, and 27—for giving minimal answers and being nonresponsive as the

prosecutor claimed juror 26 was. Escamilla asserts that the state's strike was a "thinly-veiled reference" to the belief that people of color must "prove they are articulate in order to be qualified to serve as jurors" and that the state's "application of this articulation requirement towards Juror 26 but not towards other similarly-situated jurors shows pretext." Escamilla cites *Miller-El*, 545 U.S. at 252-53, to support his assertion that the state's strike was pretextual. But *Miller-El* is inapposite.

In *Miller-El*, the record contained evidence of racially discriminatory practices including shuffling juror cards to place the Black members of the jury in the back of the panel, using a different scripted description of the death penalty with Black jurors as compared to white jurors, and asking jurors different questions based on their race. 545 U.S. at 233-34. The Supreme Court stated that "[t]he final body of evidence confirming the conclusion here is that the [prosecutor's office] had, for decades, followed a specific policy of systematically excluding [B]lack from juries" and the "prosecutors' notes of the race of each panel member show[ed] that they took direction from a jury selection manual that included racial stereotypes." *Id.* at 234. Escamilla does not point to any such evidence in the record here.

To the contrary, based on our review of the voir dire transcript, the other jurors were not similarly situated to juror 26. Juror 21 had a lengthy exchange with Escamilla's counsel during voir dire regarding his profession as an attorney and, during the questioning of the potential jurors as a group, responded to the prosecutor's questions about his experience deliberating with others about an event or facts. Juror 21 also offered

explanations for some of his answers, including discussing other companies he worked for and his spouse's profession.

Although Jurors 27 and 13 had less interaction with the district court than juror 21 during voir dire, they offered lengthier and more detailed answers than juror 26 when questioned by the parties. Juror 26 frequently used one-word answers when responding to the district court and did not elaborate on her answers to questions from Escamilla's counsel.

While it would have been preferable for the district court to make a ruling and provide the reasoning underlying its determination at each step of the *Batson* analysis, we conclude that Escamilla has not satisfied his burden of proving that the prosecutor's peremptory strike was pretextual and racially motivated.

The district court did not err in denying Escamilla's *Batson* challenge, and he is not entitled to a new trial.

II. The district court erred by imposing a lifetime conditional-release term for Escamilla's first-degree CSC conviction when he did not have a prior sex-offense conviction.

Escamilla next argues that the district court erred by imposing a lifetime conditional-release term and that he should be given a ten-year conditional-release term pursuant to Minn. Stat. § 609.3455, subd. 6 (2018). The state agrees that the district court erred and that the appropriate remedy is a remand to the district court to vacate the lifetime conditional-release term and impose a ten-year conditional-release term for the first-degree CSC sentence.

“[A district] court may at any time correct a sentence not authorized by law.” Minn. R. Crim. P. 27.03, subd. 9. We will “afford the [district] court great discretion in the imposition of sentences and reverse sentencing decisions only for an abuse of that discretion.” *State v. Soto*, 855 N.W.2d 303, 307-08 (Minn. 2014) (quotation omitted). However, whether a sentence conforms to the requirements of a statute is a question of law that we review de novo. *State v. Williams*, 771 N.W.2d 514, 520 (Minn. 2009).

Pursuant to Minn. Stat. § 609.3455, subd. 6, when an offender is imprisoned for a violation of Minnesota Statutes sections 609.342 or 609.343, upon release from prison, the offender shall be placed on conditional release for ten years. However, if the offender has a “previous or prior sex offense conviction,” upon release from imprisonment, the offender shall be placed “on conditional release for the remainder of the offender’s life.” Minn. Stat. § 609.3455, subd. 7(b) (2018).

Escamilla had no prior convictions for any sex offenses. Although the prosecutor informed the district court at the sentencing hearing that “a commit to prison on criminal sexual conduct in the first degree . . . results in a lifetime term of conditional release,” that was an incorrect statement of the law that the district court then applied when it imposed Escamilla’s sentence and included a conditional-release term of 99 years. However, pursuant to the statute, Escamilla should be placed on conditional release for ten years.

We therefore reverse the imposition of Escamilla’s lifetime conditional-release term and remand to the district court for the imposition of a ten-year conditional-release term consistent with Minn. Stat. § 609.3455, subd. 6.

Affirmed in part, reversed in part, and remanded.