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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0463**

In re the Estate of Lillian Clara Wennes, Decedent.

**Filed August 4, 2025
Affirmed
Harris, Judge**

Ramsey County District Court
File No. 62-PR-24-816

David J. Beguhl, St. Paul Park, Minnesota (self-represented appellant)

William R. Baumeister, Oakdale, Minnesota (for respondent Jean M. Beguhl)

Considered and decided by Harris, Presiding Judge; Bjorkman, Judge; and Bratvold,
Judge.

NONPRECEDENTIAL OPINION

HARRIS, Judge

Appellant argues that the district court engaged in judicial misconduct because, during the initial hearing in this probate dispute, it unfairly limited his time to present opening and closing arguments, violated his right to be heard, and showed bias and lacked impartiality. We affirm.

FACTS

In June 1989, decedent Lillian Clara Wennes signed a will conveying her “entire residuary estate” to her husband if he survived her. If her husband did not survive her, Wennes gave her entire residuary estate to her daughter, respondent Jean M. Beguhl. In

February 2009, approximately four months after her husband passed away, Wennes executed a Transfer on Death Deed (TODD) conveying her homestead to respondent. Wennes died in December 2018. The death certificate indicates that Wennes was widowed and not remarried.

In October 2024, Wennes' grandson, self-represented appellant David J. Beguhl, filed an amended petition for determination of descent, arguing that Wennes' homestead should have been distributed between himself and three of his siblings. In the petition, he claimed that prior to Wennes' death, Wennes stated that he and his siblings would "inherit her estate." Respondent filed an objection two months later, arguing that the homestead at issue was Wennes' non-probate property and Wennes executed the TODD naming her as the sole beneficiary. In support of her objection, respondent cited to Wennes' will, which was signed in June 1989 and in the district court's file.

At a December 2024 initial hearing, appellant argued that the "[TODD] is evidence of forgery." Appellant then explained that he "wrote out a whole explanation on how [he] came to that conclusion" and offered to address the claim through his opening and closing statements. The district court responded, "Well, we only have about 15 minutes total for today's hearing. . . . So[,] what I could do . . . is, I could give you five minutes, so I could give [opposing] counsel the opportunity to respond, or you could rest on your written submissions." When asked to clarify "rest on the written submissions," the district court explained:

COURT: So[,] it sounds like you filed some documents with the Court and then you also submitted exhibits through MNDES.^[1]

APPELLANT: Yes.

COURT: Okay. All right. So[,] I can review those. So[,] I wouldn't recommend you read those right into the record, because I can read them –

APPELLANT: Okay.

COURT: – And I can review them. But I also wanted to maybe let you know that today's hearing – so this is kind of an initial calendar, so we only have about 15 minutes. There – if it's warranted, there is a potential that an evidentiary hearing can be scheduled, and at that time, that's when exhibits could be admitted and exchanged, and there would be a full-blown evidentiary hearing, which would mean witnesses would be called and testimony would be taken. But I'm going to tell you, David, that just based on the written submissions here today, you would have to – you would have to be prepared to really prove that the [TODD] is, in fact, not valid, because that deed is already in the County Recorder's hands and accepted, you know.

APPELLANT: Yes.

Respondent's counsel argued that appellant faced a "tremendous uphill battle if he [was] going to go ahead and try proving that [Wennes' attorney] participated in some kind of a forgery." Counsel also argued that the property in dispute was "basically a nonprobate asset" and that even if there is "a will leaving everything to the four grandchildren, it still doesn't affect the [TODD]." Counsel stated that appellant was "on a fool's errand trying to challenge this deed."

¹ "MNDES" is the Minnesota Digital Exhibit System.

The district court gave appellant an opportunity to respond. Appellant claimed that Wennes told him that he and his siblings would inherit an equal portion of the estate. He added that he had “conversations with two witnesses that also state the same and are also beneficiaries of the estate.” He argued that with the witnesses’ statements and his letter, he could “prove that [they] are beneficiaries of the estate and have every right, as an heir, to [their] grandmother’s estate.”

The district court explained that it would take the matter under advisement and issue a written order. It stated, “I will again confirm that we do not have enough time today for an evidentiary hearing,” and stated that it “may require additional submissions before we go to an evidentiary hearing.” The district court required appellant to establish a “prima facie case before we take time to have a full-blown evidentiary hearing.” It explained, “I’m not sure it would be in the best interest of judicial economy or any of the interested parties if we spent significant time on this action without some concrete response from [appellant] to the [TODD].” Following the hearing, the district court issued an order for submissions and requested appellant to file “written submissions that establish a prima facie case that [Wennes] had a subsequent Will other than what is in the Court’s file” and that the “deed on file is a forgery.”

Appellant primarily focused on Wennes’ marital status and the fact that Wennes’ husband did not sign the deed. He noted that the marital status in the TODD says “single” while her death certificate says “Widowed, (and not remarried).” And while acknowledging that Wennes signed the TODD “four months and eighteen days after Mr. Wennes had passed away,” appellant argued that Mr. Wennes’ signature was required

under Minnesota Statutes section 507.071, subdivision 8 (2024). He maintained that there was an updated will devising Wennes' homestead to himself and his siblings, that respondent and her attorney were the only ones in possession of that will, and that they continued to deny its existence.²

In February 2025, after reviewing the written submissions, the district court determined that appellant failed to “establish factual and legal support for his position that decedent’s homestead should be decreed to himself and three others.” It found that the TODD transferring the homestead to respondent was validly executed and, even assuming there was another will as appellant suggested, the homestead remained a non-probate asset. For these reasons, the district court denied appellant’s petition of descent and dismissed the matter.

This appeal follows.

DECISION

Appellant argues that the district court committed misconduct and violated his due process rights because it imposed a 15-minute time limit for the hearing, did not give him the opportunity to present his opening statement, limited the time he could present his

² Appellant also requested that the district court remove respondent’s counsel, William Baumeister. Appellant explained that William Baumeister is a brother to the manager of appellant’s Thrivent financial account. Because of their sibling relationship, appellant alleged that Attorney Baumeister had “easy access” to his financial records, and “[u]sing such knowledge against [him] . . . causes a conflict of interest.” Attorney Baumeister wrote to the district court assuring the district court that there was no conflict of interest. He also informed the district court that appellant had not served him, or his client exhibits or filings.

arguments, and focused on the objections instead of the full scope of his case. Upon our careful review of the record, we find no evidence of judicial misconduct or bias.

We begin with the presumption that a judge has discharged his or her judicial duties properly. *McKenzie v. State*, 583 N.W.2d 744, 747 (Minn. 1998). A district court's opinions based on "facts introduced or events occurring in the course of current proceedings, or of prior proceedings, do not constitute a basis for a bias or partiality unless they display a deep-seated favoritism or antagonism that would make fair judgment impossible." *State v. Adell*, 755 N.W.2d 767, 775 (Minn. App. 2008) (quotation omitted), *rev. denied* (Minn. Nov. 25, 2008). And "[i]t is presumed that judges will set aside collateral knowledge and approach cases with a neutral and objective disposition." *Id.* (quotation omitted).

Appellant argues that the district court was biased because it limited the time he had to present his argument, and that the 15-minute time limit was not sufficient to provide opening and closing arguments and evidence to support his claim. We disagree. It appears that appellant misunderstood the purpose of the initial hearing in December 2024. One month before the hearing, appellant was notified that "[a]ny objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper, and no objections are filed or raised, the Petition may be granted. *If objections are filed, another hearing may be scheduled.*" (Emphasis added.) At the hearing, the district court referee allowed appellant an opportunity to explain why he believed the TODD was forged and why he believed there was another will. When the appellant asked about "going through his

opening and closing statements”, the district court explained that it would be able to read any filed documents and stated:

[I] also wanted to maybe let you know that today’s hearing – so this is kind of an initial calendar, so we only have about 15 minutes. . . . [I]f it’s warranted, there is a potential that an evidentiary hearing can be scheduled, and at that time, that’s when exhibits could be admitted and exchanged, and there would be a full-blown evidentiary hearing, which would mean witnesses would be called, and testimony would be taken.

The district court explained that appellant would need to be prepared to prove that the TODD was not valid and gave appellant an opportunity to address respondent’s arguments. After respondent’s oral argument, appellant stated that he wanted to go through his exhibits and the district court again noted that if appellant continued with his objection that a trial would be scheduled where witnesses are called, and testimony was taken and explained that it was not making findings today. After a brief recess, the district court reminded both parties that there was not enough time for an evidentiary hearing but stated that it would take the matter under advisement, issue an order, and may request additional submissions before proceeding to an evidentiary hearing. After the hearing, the district court gave appellant an opportunity to submit additional written submissions to support his challenge to the TODD. And although appellant did, in fact, provide additional written submissions, he failed to establish a prima facie case to support his challenge.

In sum, the record reflects that the district court treated appellant fairly. The district court took time to explain the purpose of the initial hearing and the evidentiary hearing process, and gave appellant an opportunity to explain why he believed the TODD was forged. The district court explained what appellant would need to be prepared to address

at the initial hearing and for an evidentiary hearing. The district court was patient and respectful during the hearing.

Next, appellant argues that the district court's "emphasis on this objection without proper consideration of the [appellant's] interest suggests the lack of impartiality."³ Appellant's argument suggests that he is primarily dissatisfied with the outcome of the proceedings. But "[p]revious adverse rulings by themselves do not demonstrate judicial bias." *Hannon v. State*, 752 N.W.2d 518, 522 (Minn. 2008). And we presume that district court judges have discharged their duties properly. *Id.*

There is nothing in this record suggesting that the district court committed judicial misconduct by displaying bias or a lack of impartiality by limiting the time for argument or not considering appellants argument. The district court simply stated, "based on your written submissions so far, I'm not sure that a Court could find in your favor." This is the district court's opinion based on the facts introduced throughout the proceedings. And because the record does not suggest bias, partiality, or favoritism by the district court, we conclude that the district court did not engage in judicial misconduct.

Affirmed.

³ On appeal, appellant does not argue that the district court erred in its factual findings or abused its discretion by denying and dismissing his case. Respondent's brief addresses this issue and argues that the district court's determination that appellant failed to establish a prima facie case was not erroneous. Because appellant does not raise this argument we decline to address it on appeal. *See State, Dep't of Labor & Indus. v. Wintz Parcel Drivers, Inc.*, 558 N.W.2d 480, 480 (Minn. 1997) (declining to consider inadequately briefed issue).