

*This opinion is nonprecedential except as provided by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
A25-0500**

State of Minnesota,
Respondent,

vs.

Harold Wayne Sorenson,
Appellant.

**Filed December 22, 2025
Affirmed
Wheelock, Judge**

Meeker County District Court
File No. 47-VB-23-1032

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

Brandi L. Schiefelbein, Meeker County Attorney, John P. Fitzgerald, Assistant County Attorney, Litchfield, Minnesota (for respondent)

Harold Wayne Sorenson, Atwater, Minnesota (pro se appellant)

Considered and decided by Bentley, Presiding Judge; Wheelock, Judge; and Larson, Judge.

NONPRECEDENTIAL OPINION

WHEELOCK, Judge

Appellant challenges his misdemeanor conviction for disturbing or removing property from a wildlife management area, asserting that various constitutional and procedural violations occurred. We affirm.

FACTS

After appellant Harold Wayne Sorenson was discovered cutting and removing wood from the Butternut Wildlife Management Area (WMA) in Meeker County in November 2023, the Minnesota Department of Natural Resources (DNR) cited him for misdemeanor disturbing or removing property in a wildlife management area pursuant to Minn. R. 6230.0250, subp. 20 (2023). Sorenson, who represented himself in district court, filed a motion to dismiss the citation.

In his motion, Sorenson argued that the citation was based on insufficient and unreliable evidence, the DNR officers illegally seized the wood in his possession, and his rights under the 14th Amendment were violated. The district court denied the motion and issued a written order in which it found that probable cause existed, the plain-view doctrine applied to the seizure of the wood, and Sorenson's equal-protection rights were not violated.

At trial, the state presented one witness, one of the two DNR officers who had encountered Sorenson in the WMA. The officer testified that he and the other officer approached a vehicle in a parking lot near the WMA and looked through the windows for any signs of hunting activity. The officer saw around four logs in the back of the vehicle that appeared to be freshly cut. As the officers were peering into the vehicle, Sorenson approached, and the officers asked him if the logs came from within the WMA. Sorenson responded that they did not, then he got into his vehicle and left.

The officers continued to investigate and entered the WMA, where they found a two-wheeled cart that contained another log and an additional cut log on the ground next

to it. The officer testified that these logs appeared freshly cut due to the light color of the exposed wood. While investigating the scene, the officers heard a vehicle approaching, went back towards the parking lot, and saw that Sorenson had returned. The officer asked Sorenson what he was doing, and Sorenson said he was cutting wood. When asked where he was cutting wood, Sorenson brought the officers to the tree that he had cut.

The officer further testified that the WMA abuts private property and that the DNR uses a phone application to determine property lines. The officer used his phone to determine whether the tree Sorenson indicated was located in the WMA, and he took screenshots of the application's results while talking with Sorenson that day. The screenshots from the officer's phone were admitted into evidence. The screenshots show that the officer marked on the application the location of the tree to which Sorenson directed them and the location of the cart that contained cut logs. The application indicated that both the tree and the cart were located within the WMA boundaries.

In his testimony, the officer explained that some of the logs cut from the tree were found within the WMA but that others were on private property. The officer testified that he asked Sorenson to remove from his vehicle the logs the officers had seen earlier and that he assisted Sorenson with moving the logs from the vehicle back into the WMA. The officers issued a citation to Sorenson, and Sorenson retrieved his cart.

Sorenson cross-examined the officer about the accuracy of the phone application, the boundary line, DNR sign placement, and whether the officers saw Sorenson cutting any logs. Sorenson also questioned the officer about whether the officers had been trying to kill him, whether the body-worn camera footage received into evidence had been

manipulated, and whether the officer was involved with the Federal Bureau of Investigation (FBI).

Sorenson did not testify, but in presenting his case, he disputed that the tree and logs were on or came from WMA property and offered exhibits to show the location of the boundary line between the WMA and the abutting private property, such as a purported aerial depiction of the area in which he had been cutting wood. Many of the exhibits Sorenson offered were not received into evidence, however, because the district court sustained the state's objections based on relevance and lack of foundation. Sorenson also presented a closing argument.

The jury returned a guilty verdict. The district court sentenced Sorenson to nine days in jail, stayed for one year of unsupervised probation, and a \$190 fine.

Sorenson appeals.

DECISION

In Sorenson's self-represented brief, he makes numerous arguments and allegations: that he was deprived of a speedy trial and an impartial jury; that his constitutional due-process rights were violated because, after he chose to reserve his opening statement, he failed to later give one; that procedural rules were not followed; that the officers fabricated information and manipulated video evidence; and that wood from dead trees falls outside the scope of the rule prohibiting the removal of property from a WMA.

For each argument asserted, Sorenson raises it either for the first time on appeal or without citations to legal authority, without legal argument, and without explaining the effect of any errors beyond conclusory statements. "This court generally will not decide

issues which were not raised before the district court” *Roby v. State*, 547 N.W.2d 354, 357 (Minn. 1996). Further, a party forfeits an argument when, on appeal, they do not adequately argue or explain it or they assign error without authority. *State v. Myhre*, 875 N.W.2d 799, 806 (Minn. 2016) (stating that an issue is forfeited when it is not adequately argued or explained); *Louden v. Louden*, 22 N.W.2d 164, 166 (Minn. 1946) (“An assignment of error based on mere assertion and not supported by any argument or authorities in appellant’s brief . . . will not be considered on appeal unless prejudicial error is obvious on mere inspection.”); *State v. Fleming*, 869 N.W.2d 319, 329 (Minn. App. 2015) (citing *Loth v. Loth*, 35 N.W.2d 542, 546 (Minn. 1949)) (demonstrating that we do not presume error on appeal), *aff’d*, 883 N.W.2d 790 (Minn. 2016).

Sorenson’s arguments consist of mere assertions that are unsupported by the record, and we do not presume error on appeal. *See Fleming*, 869 N.W.2d at 329. Furthermore, we see no prejudicial error that is obvious on mere inspection. *See Louden*, 22 N.W.2d at 166. A party also may not “obtain review by raising the same general issue litigated below but under a different theory.” *State v. Bailey*, 732 N.W.2d 612, 623 (Minn. 2007) (quoting *Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988)).

In his pretrial motion to dismiss, Sorenson asserted his Fourth Amendment rights to challenge the seizure of the wood seen in his vehicle and found in the cart. On appeal, he makes entirely different arguments not raised to the district court that “the incriminating character of wood in someone’s car is not immediately apparent” and that the officers had to move things in his car to find a bow saw that was referenced during the officer’s

testimony. Because review generally is not available for a different theory on appeal, we decline to consider Sorenson's alternative theories.

The record reflects that Sorenson received discovery, expressly agreed to the procedures in the district court proceedings, was able to argue his theory of the case at trial, was able to cross-examine the state's witness, had the opportunity to testify, and presented a closing argument. Because our thorough review of the record confirms that Sorenson either failed to raise the issues he argues on appeal or otherwise object in district court and thus forfeited his arguments and we discern no error, we affirm.

Affirmed.