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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0533**

State of Minnesota,
Respondent,

vs.

Jaimee Nichole Traylor,
Appellant.

**Filed March 16, 2026
Affirmed
Frisch, Chief Judge**

Meeker County District Court
File No. 47-CR-23-963

Keith Ellison, Attorney General, Lisa Lodin, Assistant Attorney General, St. Paul, Minnesota; and

Brandi Schiefelbein, Meeker County Attorney, Litchfield, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Suzanne M. Senecal-Hill, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Frisch, Chief Judge; Bentley, 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NONPRECEDENTIAL OPINION

FRISCH, Chief Judge

Appellant Jaimee Nichole Traylor appeals her convictions for third-degree controlled-substance murder and third-degree sale of a controlled substance, arguing that the state failed to prove beyond a reasonable doubt that she sold or delivered a controlled substance that caused the death of the victim. Because the evidence is sufficient to support Traylor's convictions, we affirm.

FACTS

On July 31, 2023, shortly after 4:00 p.m., police found M.A. deceased in his Litchfield home. On the coffee table in front of M.A., police found a black tube, tinfoil with powder inside, a plastic baggie, and a smoke straw. Onsite testing revealed that the black tube was presumptively positive for fentanyl. Later testing by the Minnesota Bureau of Criminal Apprehension (BCA) revealed that the powder inside the tinfoil tested positive for fentanyl and xylazine. The medical examiner performed an autopsy and attributed M.A.'s death to the "toxic effects of acetyl fentanyl, fentanyl, methamphetamine, and xylazine." The medical examiner also found a small bag of methamphetamine in M.A.'s pocket.

At trial, the state presented the following evidence regarding the investigation of M.A.'s death. Traylor and M.A. exchanged the following text messages between roughly 12:00 a.m. and 1:00 a.m. on July 31:

TRAYLOR: So he didn't have a full ball of it, but he had 40 worth so I got that for you. [12:10 a.m.]

TRAYLOR: Not far away m almost back to litch. [12:10 a.m.]

M.A.: Ok. Thanks. I'm wide awake so stop over. [12:12 a.m.]

TRAYLOR: Your welcome. Figure it was better than none at all. [12:12 a.m.]

....

M.A.: Ok. [T.S.] is here waiting for you. Should I meet you outside? [12:29 a.m.]

TRAYLOR: No your good! & Okay thank you for letting me know. [12:29 a.m.]

....

TRAYLOR: . . . Let me know what you think of that new icing flavor on the cupcakes. I do have 1 other flavor & recipe to try if you want to or if this one isn't up to your satisfaction. [1:06 a.m.]

M.A.: Nice. It reminds me of the old days. [1:08 a.m.]

In a recorded interview with police, Traylor stated that M.A. asked her to pick up cocaine for him "no more than 48 hours" before he was found deceased. Traylor explained that she left M.A.'s house that night as the passenger in a black Ford Focus to drive to Minneapolis to obtain drugs for herself and M.A. Text messages between roughly 9:30 p.m. and 11:15 p.m. on July 30 obtained from Traylor's phone describe an apparent drug deal between Traylor and an individual identified as "Drew":

TRAYLOR: 28 mins. In a black Ford focus. [9:27 p.m.]

....

TRAYLOR: Parked in a parking lot. [9:55 p.m.]

....

DREW: Come to bck. [9:57 p.m.]

TRAYLOR: Okay coming. [9:57 p.m.]

TRAYLOR: Can I come back to you? You gave me the wrong one. [10:16 p.m.]

TRAYLOR: White not h. [10:16 p.m.]

....

TRAYLOR: How long? Have to leave in 10. [10:27 p.m.]

....

TRAYLOR: He's still not here. Should I just come to you? [10:52 p.m.]

DREW: U not listening I said come bck to me. [10:52 p.m.]

DREW: He comin here. [10:52 p.m.]

TRAYLOR: Okay. [10:53 p.m.]

TRAYLOR: 5 min. It's hard to hear you talk on the phone.
[10:54 p.m.]

DREW: Wya. [11:09 p.m.]

TRAYLOR: The friend that wanted that is gonna wait a few
days. I'm so sorry for the headache. [11:15 p.m.]

Traylor told police that she arrived at M.A.'s house with "40 worth" of cocaine in a clear plastic baggie. Security-camera footage from a business near M.A.'s house shows a small car arrive at M.A.'s house at 12:39 a.m. Traylor stated that, inside the home she placed the drugs on the coffee table, and M.A. gave her money for the drugs. Ten minutes after arriving, Traylor left M.A.'s house with T.S. in a white SUV. Security-camera footage shows a white vehicle back out of M.A.'s driveway at 12:51 a.m.

A friend of M.A. testified that she arrived at M.A.'s house before 1:00 a.m. on July 31. Consistent with this testimony, security-camera footage shows a white pickup truck park in front of M.A.'s house, and the driver entering the house at about 12:57 a.m. Once inside, M.A. told the friend that, shortly before the friend arrived, a few buddies had stopped over and left some samples. The friend observed on the coffee table two lines of drugs with a "brownish color." The friend watched M.A. combine the lines and snort the drugs through a black tube. Then M.A. "said something like along the lines of, um, something like the good old days." M.A. and the friend engaged in small talk, and then the friend observed that "it was like [M.A.] fell asleep. Just like was overtired and just passed out." The friend observed M.A. "take a breath and then hold it, and then gasp for air," like "[s]omebody who has sleep apnea." The friend decided to leave M.A.'s house.

M.A. was breathing when the friend left. At 1:25 a.m., security-camera footage shows the white pickup truck driving away from M.A.’s house.

H.P., who met M.A. through C.M., testified that she was not at M.A.’s house at any time in July 2023 and that she had never offered or sold controlled substances to M.A. H.P. testified that C.M. had provided her with fentanyl about a month before M.A.’s death.

W.B.—a friend of M.A. who spent time with M.A. during the afternoon of July 30 and returned the morning of July 31 but left without entering the house—testified that he did not see H.P. at M.A.’s house on July 30 or July 31.

Traylor also introduced evidence that on July 16 and July 21, T.W. texted M.A. asking for “blues,” which is a slang term for fentanyl. On July 21, M.A. responded, “I don’t. [C.M.] was trying to get some.” The last text communication between M.A. and C.M. occurred on July 29.

Police searched M.A.’s house and discovered a black tube that tested presumptively positive for fentanyl; tinfoil with powder inside that tested positive for fentanyl and xylazine; a plastic baggie; and a smoke straw. No cocaine was discovered in the house. The drug paraphernalia was sent to the BCA for DNA testing. A BCA forensic scientist found H.P.’s DNA on the black tube, C.M.’s DNA on the smoke straw, and M.A.’s DNA on the plastic baggie. The DNA of an unidentified person was also found on the plastic baggie. A DNA mixture originating from two individuals, male and female, was found on the tinfoil. M.A. could not be excluded as a contributor to the male DNA profile on the tinfoil. Traylor was definitively excluded as a contributor to the female DNA profile on

the tinfoil. A BCA forensic scientist tested the plastic baggie and tinfoil for fingerprints. No latent fingerprints suitable for examination were found on the plastic baggie or tinfoil.

In November 2023, respondent State of Minnesota charged Traylor with one count of third-degree controlled-substance murder in violation of Minn. Stat. § 609.195(b) (2022), and one count of third-degree sale of a controlled substance, in violation of Minn. Stat. § 152.023, subd. 1(1) (2022). After an eight-day jury trial, the jury found Traylor guilty of both counts. The district court sentenced Traylor to 132 months in prison on the third-degree controlled-substance murder conviction. The district court entered judgment of conviction for third-degree sale of a controlled substance but did not pronounce a sentence. Traylor appeals.

DECISION

Traylor argues that the evidence presented at trial is insufficient to support her convictions for third-degree controlled-substance murder and third-degree sale of a controlled substance. “In a criminal proceeding, under the Due Process Clause of the Fourteenth Amendment to the United States Constitution, the State must prove every element of the offense beyond a reasonable doubt.” *State v. Culver*, 941 N.W.2d 134, 142 (Minn. 2020). To prove that Traylor is guilty of third-degree controlled-substance murder and third-degree sale of a controlled substance, the state was required to prove beyond a reasonable doubt that Traylor sold M.A. the controlled substance that killed him. *See* Minn. Stat. §§ 152.023, subd. 1(1) (explaining that a person is guilty of third-degree controlled-substance sale if “the person unlawfully sells one or more mixtures containing a narcotic drug”), 609.195(b) (“Whoever, without intent to cause death, proximately causes

the death of a human being by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance . . . is guilty of murder in the third degree . . .”).

The parties agree that the state’s case was based on circumstantial evidence and that the state presented sufficient circumstantial evidence to prove that Traylor sold M.A. the drug mixture that caused his death. Traylor contends that the state’s evidence is insufficient to support her convictions because the circumstances proved do not exclude an alternative rational hypothesis that M.A. obtained the drug mixture that caused his death from a source other than Traylor. The state responds that the only rational hypothesis from the circumstances proved is that Traylor sold M.A. the drug mixture that caused his death.

“When considering a challenge to the sufficiency of the evidence, we must ‘view the evidence in the light most favorable to the verdict and assume that the jury disbelieved any evidence that conflicts with the verdict.’” *State v. Nyonteh*, 24 N.W.3d 271, 283 (Minn. 2025) (quoting *Culver*, 941 N.W.2d at 142). “Circumstantial evidence must form a complete chain that, in view of the evidence as a whole, leads so directly to the guilt of the defendant as to exclude beyond a reasonable doubt any reasonable inference other than guilt.” *State v. Al-Naseer*, 788 N.W.2d 469, 473 (Minn. 2010) (quotation omitted). We conduct a two-step analysis in determining the sufficiency of circumstantial evidence to prove an element of an offense. *State v. Colgrove*, 996 N.W.2d 145, 150 (Minn. 2023). First, “we identify the circumstances proved.” *State v. Hassan*, 977 N.W.2d 633, 640 (Minn. 2022). “The first step requires us to ‘winnow down the evidence presented at trial by resolving all questions of fact in favor of the jury’s verdict,’ which results in ‘a subset

of facts that constitute the circumstances proved.’” *State v. Firkus*, __ N.W.3d __, __, 2026 WL 517248, at *5 (Minn. Feb. 25, 2026) (quoting *State v. Harris*, 895 N.W.2d 592, 600 (Minn. 2017)). “At the second step, ‘we consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.’” *Id.* (quoting *State v. Smith*, 9 N.W.3d 543, 565 (Minn. 2024)) (other quotation omitted). At the second step, we do not give deference to the jury’s choice between reasonable inferences. *Harris*, 895 N.W.2d at 601. “The State’s circumstantial evidence is sufficient when the reasonable inferences are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.” *Hassan*, 977 N.W.2d at 640.

We begin our analysis by identifying the circumstances proved regarding the element at issue:

- M.A. asks Traylor to obtain drugs for him on the evening of July 30.¹
- In response to M.A.’s request, Traylor leaves M.A.’s home to drive to Minneapolis. Traylor sits in the passenger seat of a black Ford Focus.

¹ Traylor asserts that her statement to law enforcement that M.A. asked her to pick up cocaine for him and that she delivered a partial ball of cocaine to M.A. are among the circumstances proved. But *Firkus* instructs that, in identifying the circumstances proved, we must “winnow down the evidence presented at trial by resolving all questions of fact in favor of the jury’s verdict.” 2026 WL 517248, at *5 (quotation omitted). This winnowing-down process “protects the well-established legal principle that the jury is in a unique position to determine the credibility of the witnesses and weigh the evidence before it.” *Id.* at *6 (quotation omitted). The jury was therefore tasked with assessing the credibility of Traylor’s statement to law enforcement that she delivered cocaine to M.A. at M.A.’s request. And because we must, pursuant to *Firkus*, resolve questions of fact in favor of the jury’s verdict, we reject Traylor’s argument that her statement to law enforcement is a circumstance proved. *See id.* at *7.

- At 9:27 p.m. on July 30, Traylor texts “Drew” that she is 28 minutes away in a black Ford Focus.
- At 10:16 p.m. on July 30, Traylor texts “Drew”: “Can I come back to you? You gave me the wrong one. . . . White not h.”
- At 12:10 a.m. on July 31, Traylor texts M.A.: “So he didn’t have a full ball of it, but he had 40 worth so I got that for you.” Traylor then texts M.A. that she is “almost back to litch.”
- At 12:12 a.m., M.A. responds to Traylor: “Ok. Thanks. I’m wide awake so stop over.” At 12:29 a.m., M.A. texts Traylor that T.S. is at M.A.’s house waiting for Traylor.
- At 12:39 a.m., a small car arrives at M.A.’s house.
- At 12:51 a.m., a white vehicle consistent with T.S.’s car backs out of M.A.’s driveway.
- M.A.’s friend enters M.A.’s house at about 12:57 a.m.
- At 1:06 a.m., Traylor texts M.A.: “Let me know what you think of that new icing flavor on the cupcakes. I do have 1 other flavor & recipe to try if you want to or if this one isn’t up to your satisfaction.”
- At 1:08 a.m., M.A. responds: “Nice. It reminds me of the old days.”
- M.A. tells the friend that, shortly before the friend arrived, a few buddies had stopped over and left some samples. The friend observes two lines of “brownish color” drugs on the coffee table. The friend observes M.A. combine the lines and snort them through a black tube. Then M.A. said “something like the good old days.” M.A. and the friend engage in small talk, and then it appears that M.A. falls asleep. The friend observes M.A.’s labored breathing. The friend leaves M.A.’s home at 1:25 a.m.
- On July 31, shortly after 4:00 p.m., M.A. is found dead in his home.
- The medical examiner determines that M.A. died due to the toxic effects of acetyl fentanyl, fentanyl, methamphetamine, and xylazine.

- A black tube, tinfoil with powder inside, a smoke straw, and a plastic baggie were found on the coffee table in front of M.A.
- The powder found inside the tinfoil tests positive for fentanyl and xylazine.
- The black tube found on the coffee table tests presumptively positive for fentanyl.
- No cocaine is discovered in M.A.'s house.
- Traylor's DNA is not found on any of the drug paraphernalia collected for examination.
- Traylor's fingerprints are not found on any of the drug paraphernalia collected for examination.

Having identified the circumstances proved, the next step of the sufficiency-of-the-evidence analysis requires us to examine the reasonableness of all inferences that might be drawn from the circumstances proved to determine whether they are “consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.” *State v. Segura*, 2 N.W.3d 142, 155 (Minn. 2024) (quotation omitted). Again, Traylor does not dispute that the circumstances proved are consistent with a rational hypothesis that Traylor sold or delivered M.A. the drug mixture that caused his death. But Traylor argues that the circumstances proved are also consistent with a rational hypothesis that someone other than Traylor sold or delivered to M.A. the drug mixture that caused his death. We disagree.

Traylor asserts that the circumstances proved do not exclude a rational alternative hypothesis that someone else sold or delivered the fatal drug mixture to M.A. because none of Traylor's DNA was found on the items tested by the BCA, the state failed to prove that Traylor had sold or delivered fentanyl to M.A. in the past, and the state failed to prove that

Traylor used fentanyl at M.A.’s house.² The absence of such evidence does not reasonably support a rational hypothesis that someone other than Traylor sold or delivered the fatal drug mixture to M.A. in light of the circumstances proved as a whole. *See Firkus*, 2026 WL 517248, at *9 (stating that we “consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed *as a whole* and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt” (emphasis added)). Specifically, the circumstances proved establish that Traylor purchased drugs for M.A. and then delivered drugs to M.A. immediately before M.A.’s death; that Traylor placed the drugs on M.A.’s coffee table; that after Traylor left M.A.’s home, a friend arrived at M.A.’s home; that M.A. informed the friend that a few buddies had stopped over and left him some samples; that M.A. combined and then snorted drugs off of M.A.’s coffee table; that shortly after delivering drugs to M.A., Traylor texted “Let me know what you think of that new icing flavor on the cupcakes. I do have 1 other flavor & recipe to try if you want to or if this one isn’t up to

² The state asserts that Traylor’s argument is flawed because Traylor “mistakenly relies on the lack of forensic evidence,” citing *State v. German*, 929 N.W.2d 466, 473-74 (Minn. App. 2019) (holding that “the absence of evidence in the record regarding a certain circumstance does not constitute a circumstance proved”). Traylor correctly notes that *German* is inapposite because there, we considered whether claims about the presence or absence of DNA or fingerprint evidence constituted a circumstance proved where “[n]o one testified one way or another about DNA or fingerprints at trial,” thus “any claims about the presence or absence of DNA or fingerprint evidence would be speculative” and improper to consider as a circumstance proved. *Id.* at 473. Here, there was testimony about both fingerprint and DNA testing conducted on drug paraphernalia found at the crime scene. Accordingly, the state’s reliance on *German* is misplaced, and the lack of Traylor’s DNA or fingerprint evidence on the drug paraphernalia collected for examination is a circumstance proved.

your satisfaction”; M.A. responded to Traylor, “Nice. It reminds me of the old days”; that shortly after snorting the drugs from the tinfoil, M.A. said to the friend “something like the good old days”; that shortly after snorting the drugs from the tinfoil, M.A. was observed to have labored breathing and appeared to fall asleep, dying thereafter; that the drugs inside the tinfoil tested positive for fentanyl and xylazine; and that the medical examiner concluded that M.A. died from the “toxic effects of acetyl fentanyl, fentanyl, methamphetamine, and xylazine.” The only rational hypothesis from the circumstances proved as a whole is that Traylor sold or delivered to M.A. the drugs that caused M.A.’s death. It is not reasonable to infer from the circumstances proved as a whole that someone other than Traylor sold or delivered the fatal drug mixture to M.A. The absence of Traylor’s DNA at the scene therefore does not support a rational hypothesis other than guilt.

Traylor likewise argues that the unknown female DNA profile found on the tinfoil supports a rational hypothesis that someone other than Traylor provided M.A. with the drug mixture that caused his death. Although it may be reasonable to infer that a female other than Traylor *handled* the tinfoil at some point, such an inference does not amount to a rational hypothesis that someone other than Traylor *sold* or *delivered* to M.A. the drug mixture that caused his death in light of the circumstances proved as a whole. *See id.*

Traylor also asserts that the circumstances proved support a rational hypothesis that C.M. sold or delivered the drug mixture that caused M.A.’s death. In support of this hypothesis, Traylor points to: (1) testimony that C.M. had provided H.P. with fentanyl in the past, (2) testimony that T.W. contacted M.A. ten days before he died looking for

“blues” or fentanyl, and (3) M.A.’s response to T.W. stating that C.M. was trying to get “blues.”³ We are not convinced. M.A.’s last communication with C.M. occurred on July 29, and it is therefore not reasonable to infer that C.M. provided M.A. with the drug mixture that led to his death on July 31 because such a conclusion is purely speculative. *See State v. Andersen*, 784 N.W.2d 320, 330 (Minn. 2010) (“[W]e will not overturn a conviction based on circumstantial evidence on the basis of mere conjecture.” (quotation omitted)).

Finally, Traylor argues that the text exchanges with M.A. referencing a “full ball,” Traylor’s text to “Drew” about the wrong drug, and the small bag of methamphetamine found in M.A.’s pocket during the autopsy lead to a reasonable inference that the drug sold or delivered to M.A. was not the mixture that caused M.A.’s death. Traylor seems to argue that the circumstances proved lead to a reasonable inference that she sold or delivered either cocaine or methamphetamine to M.A. and not the drug mixture that caused M.A.’s death. But no cocaine was found at M.A.’s house, including on the coffee table or M.A.’s person, and the medical examiner did not identify any cocaine in M.A.’s system. And, the resolution of all questions of fact in favor of the jury’s verdict compels the conclusion that the jury rejected Traylor’s representation that M.A. asked Traylor to pick up cocaine and that Traylor delivered cocaine to M.A. *See Firkus*, 2026 WL 517248, at *5. Moreover, the circumstances proved establish that the medical examiner found methamphetamine in M.A.’s pocket during the autopsy. Because this is the only evidence in the record regarding

³ Traylor also argues that fentanyl was used in M.A.’s home in the days before he died, that M.A. ingested fentanyl in the days before he died, and that “[o]n the day [M.A.] died, [C.M.] was going to provide fentanyl to ‘the girls’ that were coming to [M.A.’s] house.” These alleged facts are not among the circumstances proved at trial.

the methamphetamine in M.A.'s pocket, a conclusion that Traylor delivered this methamphetamine to M.A. would be based purely on speculation. And even if we concluded that the circumstances proved supported a reasonable inference that Traylor sold or delivered the methamphetamine to M.A., this does not negate that the circumstances proved establish that Traylor sold or delivered to M.A. the tinfoil containing the fatal drug mixture. Accordingly, the circumstances proved do not support a rational hypothesis that someone other than Traylor sold or delivered the drugs that caused M.A.'s death.

Because the circumstances proved do not support a rational hypothesis that someone other than Traylor sold or delivered the drug mixture causing M.A.'s death, the evidence is sufficient to support the conviction.

Affirmed.