

*This opinion is nonprecedential except as provided by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
A25-0545**

State of Minnesota,
Respondent,

vs.

Blake Lawrence Fuhol,
Appellant.

**Filed February 2, 2026
Affirmed
Bond, Judge**

Isanti County District Court
File No. 30-CR-24-263

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

Jeffrey Edblad, Isanti County Attorney, Nicholas J. Colombo, Assistant County Attorney,
Cambridge, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Jenna Yauch-Erickson, Assistant
Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Bond, Presiding Judge; Frisch, Chief Judge; and Larson,
Judge.

NONPRECEDENTIAL OPINION

BOND, Judge

In this direct appeal from the judgment of conviction for fourth-degree assault of a
correctional employee, appellant argues that the evidence is insufficient to prove that the

Isanti County jail is a correctional facility and that the correctional employee was performing a duty imposed by law, policy, or rule. In a pro se supplemental brief, appellant challenges the sufficiency of the evidence that he spit on the correctional employee. We affirm.

FACTS

Respondent State of Minnesota charged appellant Blake Lawrence Fuhol with fourth-degree assault of a correctional employee in violation of Minn. Stat. § 609.2231, subd. 3(2) (2022), based on allegations that Fuhol spit on a correctional employee working at the Isanti County jail. The case proceeded to a jury trial, at which the following evidence was received.

On May 5, 2024, Fuhol was in a holding cell in the Isanti County jail (the jail). A correctional employee, W.G., conducted a strip search of Fuhol before moving Fuhol from a holding cell to the shower. While in the shower, Fuhol called W.G. names and acted aggressively toward him. Because of Fuhol's behavior, W.G. decided to return Fuhol to the holding cell. W.G. asked B.L., another correctional employee, for help returning Fuhol to the holding cell.

B.L. testified that he was "working direct" on May 5, meaning that he was supervising the jail's inmates as they went about their day. When W.G. asked B.L. for help moving Fuhol back to his holding cell, B.L. "locked down direct" and ran to help. After W.G. and B.L. told Fuhol he would be staying in the holding cell due to his disruptiveness, Fuhol became aggravated, yelling, kicking, and calling the correctional employees names. W.G. and B.L. escorted Fuhol down the hallway to the holding cell. B.L. testified that,

after they put Fuhol in the holding cell but before they closed the door, Fuhol “turned around, . . . puffed up his chest and proceeded to spit in [B.L.’s] face.” B.L. felt the spit “basically go all over [his] face” and into his eye. B.L.’s eye was irritated immediately following the incident and it was bloodshot for a few days afterwards. W.G. testified that he saw Fuhol “puffing up his chest,” heard him spit, and saw B.L. wipe at his face.

An Isanti County sheriff’s deputy responded to the jail and took a statement from B.L., who stated that Fuhol spit in his face, and from W.G., who stated that he saw B.L. wipe the spit off his face. The deputy then spoke with Fuhol, who “admitted to trying to spit” at the correctional employees, but he stated that “his mouth was too dry to do so.”

In addition to the above testimony, the jury saw surveillance video footage from the jail and video from the deputy’s body-worn camera of the deputy’s interviews with W.G., B.L., and Fuhol. The jury found Fuhol guilty of fourth-degree assault, and the district court sentenced him to 12 months in jail, stayed for two years.

Fuhol appeals.

DECISION

I. The evidence is sufficient to prove beyond a reasonable doubt that Fuhol committed fourth-degree assault of a correctional employee.

Due process requires the state to prove every element of a charged crime beyond a reasonable doubt. *In re Winship*, 397 U.S. 358, 364 (1970); *State v. Merrill*, 428 N.W.2d 361, 366 (Minn. 1988); *see* U.S. Const. amend. XIV, § 1; Minn. Const. art. I, § 7. In determining whether the evidence is sufficient to support a conviction, we “carefully examine the record to determine whether the facts and the legitimate inferences drawn from

them would permit the jury to reasonably conclude that the defendant was guilty beyond a reasonable doubt of the offense of which he was convicted.” *State v. Griffin*, 887 N.W.2d 257, 263 (Minn. 2016) (quotation omitted). We view the evidence in the light most favorable to the verdict and assume the fact-finder believed the state’s witnesses and disbelieved contrary evidence. *See id.* “We will not overturn the verdict if the jury, acting with regard for the presumption of innocence and the [s]tate’s burden of proof beyond a reasonable doubt, could reasonably conclude that the defendant was guilty.” *State v. Jones*, 4 N.W.3d 495, 502 (Minn. 2024).¹

To convict Fuhol of fourth-degree assault of a correctional employee, the state had to prove beyond a reasonable doubt that Fuhol “intentionally [threw] or otherwise transfer[red] bodily fluids . . . at or onto” an “employee of a correctional facility as defined in section 241.021, subdivision 1i . . . while the [employee] [wa]s engaged in the performance of a duty imposed by law, policy, or rule.” Minn. Stat. § 609.2231, subd. 3(2). Fuhol argues that his conviction should be reversed because the state’s evidence fails to prove beyond a reasonable doubt two elements of the crime of fourth-degree assault.

First, Fuhol contends that the evidence is insufficient to prove that the jail is a “correctional facility.” A “[c]orrectional facility” is defined as “any facility, including a group home, having a residential component, the primary purpose of which is to serve persons placed in facilities by a court, court services department, parole authority, or other

¹ We agree with the parties that the direct-evidence standard applies. *See State v. Harris*, 895 N.W.2d 592, 599 (Minn. 2017) (explaining that “[d]irect evidence is evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption” (quotation omitted)).

correctional agency having dispositional power over persons charged with, convicted, or adjudicated guilty or delinquent.” Minn. Stat. § 241.021, subd. 1i (2022).

Fuhol asserts that the evidence is insufficient because “[t]he State introduced nothing more than the name of the Isanti County jail.” We disagree. The evidence introduced at trial established that Fuhol was “currently an inmate” at the jail. W.G. testified that he had to strip search Fuhol “due to the severity of the charges he came in on,” and told the deputy on the body-camera recording that Fuhol “came in on a felony charge.” The deputy’s description of the jail included that the jail had “housing units,” the jury saw the jail’s interior on the video evidence, and Fuhol admitted on the body-worn camera recording that he was currently “living” in the jail. Viewed in the light most favorable to the verdict, we conclude that this evidence is sufficient to prove that the jail is a “correctional facility” as that term is defined by Minn. Stat. § 241.021, subd. 1i.

Second, Fuhol argues that the state failed to prove that, at the time he spat on B.L., B.L. was engaged in duties imposed by “law, policy, or rule.” *See* Minn. Stat. § 609.2231, subd. 3 (2022) (providing that fourth-degree assault of a correctional employee requires proof that, at the time the assault occurred, the employee was “engaged in the performance of a duty imposed by law, policy, or rule”). Again, we disagree. B.L. testified that he worked as a correctional employee at the Isanti County jail. W.G. testified that he strip-searched Fuhol before taking him to the shower pursuant to “protocol.” When W.G. radioed for backup to move Fuhol to his holding cell, B.L. was “staging direct,” meaning he was supervising the jail’s inmates as part of his job duties. The surveillance-video recording shows B.L. and W.G. escorting Fuhol down a hall to the holding cell where, just

before the door closed, Fuhol spit on B.L. The prosecutor asked B.L. whether, “during th[e] time [of the video],” B.L. was “working within [his] scope of employment.” B.L. answered affirmatively. W.G. similarly testified that he and B.L. were “working within [their] employment” the afternoon of the spitting incident. Taken in the light most favorable to the verdict, the evidence is sufficient to prove that B.L. was performing a duty “imposed by law, policy, or rule” at the time Fuhol spit on him. Minn. Stat. § 609.2231, subd. 3.

II. Fuhol is not entitled to relief on the argument raised in his pro se brief.

In a pro se brief, Fuhol challenges the sufficiency of the evidence that he spit on B.L. Fuhol emphasizes W.L. did not see spit and that, in Fuhol’s statement to the deputy, he denied spitting on B.L. When considering the sufficiency of the evidence supporting the jury’s guilty verdict, we are required to view the evidence in a light most favorable to the verdict, assume that the jury believed the state’s witnesses and disbelieved contrary evidence, defer to the jury’s credibility determinations, and not reweigh the evidence. *See Griffin*, 887 N.W.2d at 263; *State v. Franks*, 765 N.W.2d 68, 72-73 (Minn. 2009). We thus must assume that the jury believed B.L.’s testimony that Fuhol spit on him and disbelieved any contrary evidence. The evidence was therefore sufficient to permit the jury, acting with due regard for the presumption of innocence and requisite burden of proof, to reasonably conclude that Fuhol spit on B.L. and was guilty of fourth-degree assault of a correctional employee.

Affirmed.