

*This opinion is nonprecedential except as provided by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
A25-0555**

Jennifer Lynn Baldwin, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed February 2, 2026
Affirmed in part, reversed in part, and remanded
Cochran, Judge**

Hennepin County District Court
File No. 27-CR-18-23849

Michael J. Kane, Stuart A. Nelson, Kiersten M. Batzli, Alexander Rafferty, Fish & Richardson P.C., Minneapolis, Minnesota; and

Grayson P. Sundermeier (pro hac vice), Fish & Richardson P.C., Wilmington, Delaware;
and

James Mayer, Anna McGinn, Great North Innocence Project, Minneapolis, Minnesota; and

Mark R. Bradford, Bradford, Andresen, Norrie, & Camarotto, Bloomington, Minnesota
(for appellant)

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

Mary F. Moriarty, Hennepin County Attorney, Adam E. Petras, Senior Assistant County
Attorney, Minneapolis, Minnesota (for respondent)

Mary E. Heath, Margaret G. Severson, Fredrikson & Byron, P.A., Minneapolis, Minnesota
(for amicus curiae The Innocence Network)

Considered and decided by Frisch, Chief Judge; Worke, Judge; and Cochran, Judge.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

This is the third appeal arising from appellant's conviction of two counts of felony second-degree murder in connection with the death of a nine-month-old child. This appeal concerns appellant's second petition for postconviction relief, which seeks to have her conviction vacated based on claims of false testimony. The petition asserts two claims: (1) the respondent's medical witnesses falsely testified that the child died from abusive head trauma, previously referred to as shaken baby syndrome, and could not have died from natural causes (false-medical-evidence claim), and (2) a detective falsely testified on behalf of the respondent that appellant exhibited certain behavioral indicators during her 911 call that are known indicators of guilt (911-call-analysis claim).

The postconviction court determined that appellant's false-medical-evidence claim is procedurally barred under *Knaffla*¹ and that no exception to *Knaffla* applies. On this basis, the court concluded that appellant is not entitled to an evidentiary hearing on her false-medical-evidence claim. Regarding appellant's 911-call-analysis claim, the postconviction court determined, after an evidentiary hearing, that this claim is also *Knaffla*-barred and, in the alternative, fails on the merits.

Appellant argues that the postconviction court abused its discretion by denying both claims. We agree with appellant as to her false-medical-evidence claim because, under the unique circumstances of this case, the record reflects that the interests-of-justice exception

¹ See *State v. Knaffla*, 243 N.W.2d 737, 741 (Minn. 1976) (precluding review of postconviction claims that were known but not raised on direct appeal).

to *Knaffla* applies and that appellant is entitled to an evidentiary hearing on her false-medical-evidence claim. But, with regard to appellant's second claim, we conclude that the postconviction court acted within its discretion when it determined that appellant's 911-call-analysis claim does not merit any relief. We therefore affirm in part, reverse in part, and remand for an evidentiary hearing on appellant's false-medical-evidence claim.

FACTS

The following summarizes the lengthy procedural history of this case. After the death of nine-month-old C.S. in March 2018, respondent State of Minnesota charged appellant Jennifer Lynn Baldwin with one count of second-degree murder while committing third-degree assault causing substantial bodily harm and one count of second-degree murder while committing third-degree assault of a victim under the age of four. *See* Minn. Stat. §§ 609.19, subd. 2(1), .223, subds. 1, 3 (2016). At trial, the state presented testimony of medical experts to support its theory of the case that the cause of death was blunt force trauma to C.S.'s head inflicted while C.S. was in Baldwin's care. The state's medical experts also testified that there was no possible explanation for C.S.'s death based on natural, nontraumatic causes. Baldwin did not call any experts at trial because her retained expert fell ill prior to trial and the district court denied her request for an open-ended continuance. In 2019, a jury found Baldwin guilty of both counts. The district court imposed an executed sentence of 255 months' imprisonment, an upward durational departure, on count two—second-degree murder while committing third-degree assault of a victim under four. *See* Minn. Stat §§ 609.19, subd. 2(1), .223, subd. 3. Baldwin filed a direct appeal which was stayed to allow her to petition for postconviction relief.

First Postconviction Proceeding and Prior Two Appeals

Baldwin petitioned for postconviction relief on the grounds of ineffective assistance of counsel. She argued that “her attorneys’ failure to call an expert witness to refute key aspects of the state’s theory” constituted deficient performance because “[t]he case against [her] relied almost entirely on expert testimony.” She argued that this deficient performance prejudiced her because a defense expert could have effectively refuted the state’s experts’ testimony. Baldwin asserted that a defense expert could have testified to “extensive scientific literature” supporting her theory that C.S. might not have been immediately symptomatic, suggesting that his injuries could have occurred before he arrived at Baldwin’s home, and supporting other possible explanations that might have accounted for C.S.’s injuries including medical conditions or an accident. The state responded that Baldwin’s petition failed on the merits because Baldwin’s trial counsel acted in an objectively reasonable manner, as counsel contracted with the National Autopsy Assay Group (NAA Group) for an expert (although the expert did not testify) and because Baldwin’s arguments pertained to trial strategy. The state emphasized that the difficulty in obtaining the expert’s presence at trial was due to the lead expert falling ill just before trial and the expert-consulting group’s inability to complete the report in time—“two things outside of trial counsel’s control.” The state also maintained that Baldwin was not prejudiced by her trial counsel’s performance because Baldwin was able to raise her defense at trial—that someone else injured C.S.—and did not establish that an expert making the same argument would have affected the outcome.

Prior to filing her petition, Baldwin filed an application for funding under Minnesota Statutes section 611.21 (2020). The funding was intended to allow Baldwin to obtain and consult with a forensic pathologist with expert knowledge on interpretation of autopsy results and medical records to support her postconviction petition. Before requesting the funding, Baldwin’s postconviction counsel spoke to an expert, who “mentioned . . . that C.S.’s subdural hematoma could have been caused by factors other than blunt force trauma,” but the expert could not provide an opinion without reviewing C.S.’s entire medical file. The postconviction court denied the request for funding.

And, following an evidentiary hearing, the postconviction court also denied Baldwin’s first petition for postconviction relief, concluding that Baldwin failed to meet both prongs of the *Strickland*² test to demonstrate ineffective assistance of counsel. The court first concluded that, in totality, Baldwin’s trial counsel’s performance “was far above an objective standard of reasonableness.” As to the second *Strickland* prong, the postconviction court concluded that it was “unlikely that the trial outcome would have been different even if [Baldwin] had secured an expert witness to testify on her behalf at trial.”

After Baldwin was denied postconviction relief, we reinstated her appeal. *State v. Baldwin*, No. A19-1677, 2022 WL 1132049, at *1 (Minn. App. Apr. 18, 2022) (*Baldwin I*), *rev. denied* (Minn. July 19, 2022). In her direct appeal, Baldwin asserted that she was

² Under *Strickland*, a defendant must prove that (1) “counsel’s representation fell below an objective standard of reasonableness” and (2) “there was a reasonable probability that, but for counsel’s errors, the result of the proceeding would have been different.” *State v. Nicks*, 831 N.W.2d 493, 504 (Minn. 2013) (citing *Strickland v. Washington*, 466 U.S. 668, 687-96 (1984)).

entitled to a new trial because (1) the district court abused its discretion when it denied her request for a continuance of trial after her expert fell ill; (2) the postconviction court abused its discretion when it concluded that she failed to meet the *Strickland* test for ineffective assistance of counsel; and (3) the postconviction court erred by denying her postconviction request for funds to retain an expert witness to support her claim of ineffective assistance of counsel. *Baldwin I*, 2022 WL 1132049, at *1-8. Under our deferential standard of review, we first concluded that Baldwin did not meet her burden to demonstrate that the district court’s decision to deny her request for an open-ended continuance was a clear abuse of its discretion. *Id.* at *4-5. We explained that the district court thoughtfully considered and weighed the circumstances surrounding her request for an open-ended continuance, noting that Baldwin had not adequately explained why another expert from the NAA Group could not testify. *Id.* at *5. We also noted that Baldwin was able to make her central argument at trial—that another caretaker was responsible for C.S.’s injuries—and that “Baldwin has presented no evidence that the NAA Group expert, who was hospitalized, would have provided testimony that would have materially affected the outcome of the trial.” *Id.*

Next, in analyzing her argument regarding the postconviction petition, we concluded that the postconviction court did not abuse its discretion by denying Baldwin’s ineffective-assistance-of-trial-counsel claim. *Id.* Baldwin argued that she received ineffective assistance because her attorneys did not call an expert at trial. *Id.* at *6. Giving deference to the postconviction court’s credibility determinations, we agreed with the postconviction court’s conclusion that Baldwin did not meet her burden to prove that her

attorneys' conduct fell below an objective standard of reasonableness. *Id.* at *5-6. We concluded that "the record demonstrates that Baldwin's attorneys undertook reasonable efforts to retain and present an expert witness at trial," even though a defense expert ultimately did not testify. *Id.* at *7. Because Baldwin did not establish ineffective assistance of counsel, we did not decide whether the postconviction court abused its discretion when it denied Baldwin's request for funds to retain an expert in postconviction proceedings. *Id.* at *7-8.

For these reasons, we affirmed Baldwin's convictions. But we remanded for resentencing because the district court abused its discretion when it imposed an upward sentencing departure based on the victim's particular vulnerability due to age, as the victim's age was an element of the underlying offense. *Id.* After resentencing, Baldwin again appealed her sentence, arguing that the district court abused its discretion by still imposing an upward durational departure but on a different basis; we reversed and remanded for imposition of the presumptive sentence. *See State v. Baldwin*, No. A22-1838, 2023 WL 5198738, at *1-2 (Minn. App. Aug. 14, 2023) (*Baldwin II*).

Second Petition for Postconviction Relief (This Appeal)

In October 2023, following our decision in *Baldwin I*, Baldwin filed a second petition for postconviction relief. Baldwin asserted that (1) the state's medical witnesses falsely testified that the child could not have died from natural causes and (2) a detective falsely testified on behalf of the state about what is known about the ability to determine the guilt of a 911 caller based on certain behavioral indicators. With respect to her false-medical-evidence claim, Baldwin referenced statements from two state medical examiners

and a child-abuse pediatrician who testified at trial for the state. Baldwin argued that these medical witnesses falsely testified that “C.S. died from abusive, blunt force head trauma and dismissed the possibility that C.S. died from nontraumatic causes of death, including disease.” Baldwin submitted six expert reports to support her claim that “C.S. very likely died from natural causes.”

As to her 911-call-analysis claim, Baldwin asserted that “the [s]tate falsely told the jury that Ms. Baldwin was guilty because of various verbal and behavioral indicators displayed during her call to 911.” For instance, Baldwin pointed to the detective’s trial testimony where he explained that he confronted Baldwin about her 911 call when interviewing her because he “attended training and [he] certainly [has] a great deal of experience interpreting 911 calls and it is known that when a caller is concerned for somebody’s condition first and foremost they ask for help for them.” He added that “[c]allers who contributed to that poor condition offer explanations which may draw attention elsewhere, distracters, things that may explain what happened before they actually ask for any help or assistance for the injured person.” Baldwin submitted an expert report from a psychologist demonstrating that the detective’s testimony related to 911 call analysis was false. Based on these claims of false testimony, Baldwin requested that her conviction and sentence be vacated.

The postconviction court originally granted Baldwin an evidentiary hearing on both claims, but then, after receiving correspondence from the state asserting the false-medical-evidence claim is subject to the *Knaffla* procedural bar, denied that claim on *Knaffla*

grounds.³ The postconviction court concluded that Baldwin's false-medical-evidence claim is procedurally barred under *Knaffla* and neither exception to *Knaffla* applies to permit an evidentiary hearing. But the postconviction court reaffirmed its grant of an evidentiary hearing as to Baldwin's 911-call-analysis claim.

At the evidentiary hearing, Baldwin called an expert witness who explained the research surrounding 911 call analysis and demonstrated that the technique is not reliable or valid. The postconviction court also received 11 exhibits, including nine scientific papers about 911 call analysis.

After the hearing and post-hearing briefing, the court denied Baldwin's second petition for postconviction relief. Although no party argued that *Knaffla* barred the 911-call-analysis claim, the postconviction court concluded that Baldwin's 911-call-analysis claim is procedurally barred under *Knaffla* and does not fall under any exception. The

³ The circumstances under which the postconviction court originally granted a hearing on both claims and then later denied the false-medical-evidence claim as *Knaffla* barred are as follows. On June 26, 2024, the postconviction court contacted the parties and requested that they file letter briefs by the next morning clarifying whether the state was asserting that Baldwin's claims are *Knaffla*-barred because the state previously reserved arguments regarding *Knaffla*. On June 27, before the state responded, the postconviction court filed an order granting an evidentiary hearing on both claims and declining to address the *Knaffla* bar. Regarding Baldwin's false-medical-evidence claim, the postconviction court determined that the *Larrison* test applies, and that Baldwin is entitled to an evidentiary hearing because the record does not conclusively show that Baldwin is entitled to no relief. Regarding the 911-call-analysis claim, the court granted a hearing on the basis of newly discovered evidence. Later the same day, the state filed correspondence, arguing that Baldwin's false-medical-evidence claim is *Knaffla*-barred. In July, after giving Baldwin an opportunity to respond to the state's letter and taking the state's argument under advisement, the postconviction court filed an order concluding that Baldwin's false-medical-evidence claim is *Knaffla*-barred and continuing the hearing on the other claim to a later date.

postconviction court also determined in the alternative that “Baldwin’s claim fails under the *Larrison* test” for false evidence.

This appeal follows.

DECISION

Baldwin challenges the postconviction court’s denial of both the false-medical-evidence claim and the 911-call-analysis claim. A person convicted of a crime may seek postconviction relief by filing a petition alleging that the conviction “violated the person’s rights under the Constitution or laws of the United States or of the state.” Minn. Stat. § 590.01, subd. 1(1) (2022). “Unless the petition and the files and records of the proceeding conclusively show that the petitioner is entitled to no relief, the court shall promptly set an early hearing on the petition.” Minn. Stat. § 590.04, subd. 1 (2022). We review the denial of a petition for postconviction relief, including the denial of an evidentiary hearing, for an abuse of discretion, reviewing the postconviction court’s factual findings for clear error and its legal conclusions de novo. *Tichich v. State*, 4 N.W.3d 114, 119 (Minn. 2024).

I. The postconviction court abused its discretion by denying Baldwin a hearing on her false-medical-evidence claim.

Baldwin argues that the postconviction court abused its discretion by determining that her false-medical-evidence claim is procedurally barred under *Knaffla* and the interests-of-justice exception to *Knaffla* does not apply. She further contends that because there is no procedural bar, she is entitled to an evidentiary hearing on her false-medical-evidence testimony. We agree.

A. The false-medical-evidence claim is not procedurally barred.

Knaffla precludes review of “all claims raised in the direct appeal and all claims that were known *or should have been known* but were not raised in the direct appeal.” *Colbert v. State*, 870 N.W.2d 616, 626 (Minn. 2015); *see also* Minn. Stat. § 590.01, subd. 1 (2022) (“A petition for postconviction relief after a direct appeal has been completed may not be based on grounds that could have been raised on direct appeal of the conviction or sentence.”). There are two exceptions to the *Knaffla* procedural bar: “(1) if a novel legal issue is presented; or (2) if the interests of justice require review.” *Gilbert v. State*, 2 N.W.3d 483, 487 (Minn. 2024).

Here, the postconviction court determined that Baldwin’s false-medical-evidence claim was *Knaffla*-barred because “when testimony was provided by the [s]tate’s medical experts at trial, Baldwin knew or should have known that those opinions were disputed by other experts within the field and those claims should have been brought in the previous postconviction and appellate proceedings.” The postconviction court further concluded Baldwin’s claim did not fall under either of the two exceptions to *Knaffla*.

Baldwin disagrees with the postconviction court’s determination that her false-medical-evidence claim is *Knaffla*-barred and the determination that the interests-of-justice exception does not apply. She argues that her false-medical-evidence claim is not *Knaffla*-barred because she “could not have known that the [s]tate’s testimony was false at the time of her direct appeal because she was denied the services of an expert during trial and on appeal.” Alternatively, Baldwin argues that the postconviction court abused its discretion in determining that she does not meet the interests-of-justice exception, and she

maintains that “fairness requires that the [false-medical-evidence claim] be reviewed in the interests of justice.” At its core, Baldwin’s argument is that fairness requires that her false-medical-evidence claim be reviewed in the interests of justice because, until now, she has been without an expert to counter the state’s evidence.

Baldwin’s alternative argument has merit. Assuming without deciding that the postconviction court correctly determined that Baldwin’s false-medical-evidence claim is *Knaffla*-barred, we conclude that the postconviction court abused its discretion in its analysis of the interests-of-justice exception and that the interests-of-justice exception applies to her false-medical-evidence claim.

“To qualify under the interests-of-justice exception, a petition for postconviction relief must have substantive merit and [the] petitioner must not have deliberately and inexcusably delayed in bringing the claim.” *Id.* at 488. The petitioner has the burden of demonstrating that this exception to *Knaffla* applies. *Id.* at 489. “[T]he claim is procedurally barred unless [the petitioner] can show why fairness requires its consideration.” *Sanders v. State*, 628 N.W.2d 597, 601 (Minn. 2001).

Here, the postconviction court determined that the interests-of-justice exception did not apply to Baldwin’s false-medical-evidence claim because “the postconviction court and the appellate court have already addressed these claims” and “determined that there was no error by the district court in denying Baldwin’s request for [a] continuance to retain expert witnesses and that Baldwin failed to establish that having defense experts at trial would have affected the outcome.” The postconviction court relied on our decision in

Baldwin I to support its conclusion. But the postconviction court’s analysis is based on a misreading of *Baldwin I* and reflects an abuse of discretion.

i. *Baldwin I* does not foreclose application of the interests-of-justice exception.

Our decision in *Baldwin I* was limited to the issues raised on appeal and did not consider whether the state presented false testimony requiring a new trial. Relevant here, we considered only (1) whether the district court abused its discretion by denying Baldwin’s pretrial motion for a continuance and (2) whether the postconviction court abused its discretion by denying Baldwin’s ineffective-assistance-of-trial-counsel claim. *Baldwin I*, 2022 WL 1132049, at *4-7. With regard to the first issue, as noted above, we concluded that the district court did not abuse its broad discretion by denying Baldwin’s motion for a continuance after her expert witness with the NAA Group was hospitalized because Baldwin’s request for a continuance was open-ended, and Baldwin had not adequately explained why another expert from the NAA Group could not testify. *Id.* at *5. Additionally, we emphasized that “Baldwin has presented no evidence that the NAA Group expert, who was hospitalized, would have provided testimony that would have materially affected the outcome of the trial if he had been available to testify.” *Id.* Our analysis was based on Baldwin’s defense at trial—that a different caretaker was responsible for C.S.’s injuries. *Id.*

In reviewing Baldwin’s ineffective-assistance-of-counsel argument, we concluded that Baldwin did not meet her burden under the two-prong test set forth in *Strickland*, 466 U.S. at 687. *Id.* at *5-8. We limited our analysis to the first prong and concluded that

Baldwin failed to demonstrate that counsel's performance fell below an objective standard of reasonableness. *Id.* at *7. Consequently, we affirmed the postconviction court's decision rejecting Baldwin's ineffective-assistance-of-counsel claim on the first prong and did not reach the second prong, that considers whether "a reasonable probability exists that the outcome would have been different but for counsel's errors." *Id.* at *6. We also did not reach the issue of whether the postconviction court abused its discretion by denying Baldwin's request for funds to retain an expert in postconviction proceedings. *Id.* at *8.

Our conclusions in *Baldwin I* regarding the denial of the continuance and the ineffective-assistance-of-counsel claim were limited by the applicable standards of review and Baldwin's defense that a different caretaker who was with C.S. earlier in the day was responsible for C.S.'s injuries. *Id.* at *5. While the issues in *Baldwin I* concerning the unavailability of Baldwin's expert witness may be related to Baldwin's interests-of-justice exception argument, there was no assertion on appeal that C.S. died from natural causes. Accordingly, in *Baldwin I*, we did not consider whether expert testimony that C.S.'s injuries could have been due to natural causes would have changed the outcome at trial. The postconviction court's reading of *Baldwin I* to suggest the contrary is inconsistent with our opinion. Because a close reading of *Baldwin I* reflects that this court has not already addressed her claim that the state's experts presented false testimony and that the outcome would have been different without that testimony, we conclude that the postconviction court erred when it relied on our decision in *Baldwin I* to deny Baldwin a hearing on her false-medical-evidence claim under the interests-of-justice exception.

ii. The record reflects that the interests-of-justice exception applies and the postconviction court abused its discretion by concluding otherwise.

As noted above, “[t]o qualify under the interests-of-justice exception, a petition for postconviction relief must have substantive merit and [the] petitioner must not have deliberately and inexcusably delayed in bringing the claim.” *Gilbert*, 2 N.W.3d at 488. In considering this exception, the postconviction court did not address whether Baldwin’s false-medical-evidence claim has substantive merit, instead erroneously focusing on *Baldwin I*. But the postconviction court did, in effect, conclude that Baldwin deliberately and inexcusably delayed in bringing her false-medical-evidence claim. Because the record reflects the opposite—that Baldwin did not deliberately or inexcusably delay in bringing her claim and her claim has substantive merit—we conclude that the postconviction court abused its discretion when it determined that the interests-of-justice exception does not apply.

Question of Delay

In its order, the postconviction court found that “Baldwin’s counsel chose not to raise the claim of false testimony at the first postconviction proceedings or on direct appeal” and on that basis concluded that “Baldwin has not shown extenuating or unforeseen circumstances that make her failure to bring this claim at an earlier stage excusable.” But our review of the record shows that Baldwin’s failure to raise her false-medical-evidence claim in her direct appeal or previous postconviction proceeding cannot be characterized as “deliberat[e] and inexcusabl[e].” *Id.*

The supreme court's decision in *Gilbert* is instructive. In *Gilbert*, the supreme court concluded that a postconviction petition did not meet the interests-of-justice exception because "[t]he scientific basis for Gilbert's false testimony claim—a study from 2015 referenced in a preexisting BCA training manual—was discoverable at the time the direct appeal was filed." *Id.* at 489. The supreme court reasoned that "Gilbert's appellate counsel was aware of the issue of potential false testimony and chose not to raise the issue, although counsel could have with reasonable due diligence investigated and brought such a claim in a postconviction proceeding filed in connection with his direct appeal." *Id.*

In contrast here, it was impossible for Baldwin's counsel to be aware of the scientific basis for the false-medical-evidence claim during the previous postconviction proceeding or direct appeal without the opinion of an expert. The district court approved funding for an expert witness and Baldwin sought an expert witness from the NAA Group, but Baldwin was ultimately without that expert at trial because the expert was hospitalized a few weeks before trial. The expert had not yet completed his analysis and produced a report because samples from the medical examiner's office were not ready to send to him until around the time he was hospitalized. And although we previously concluded that Baldwin did not adequately explain why another expert from the NAA Group could not testify instead, this does not change the fact that she was without a forensic pathologist to counter the state's medical evidence at trial. The record also reflects that, while her trial counsel was generally aware of the evidence related to C.S.'s respiratory illness and had knowledge of general disputes about abusive head trauma (leading counsel to move for a *Frye/Mack* hearing),

her trial counsel did not receive an expert report or an initial assessment offering an opinion about the cause of C.S.’s death prior to trial.

Similarly, Baldwin’s postconviction counsel submitted an affidavit explaining that she could not have been aware of the false-medical-evidence claim at the time of the first postconviction proceeding. After consulting with a forensic pathologist, Baldwin’s postconviction counsel was made generally aware that C.S.’s subdural hematoma could have been caused by other factors, but her request for funding to obtain an expert on this topic was denied. Because the forensic pathologist could not provide an opinion, postconviction counsel could not make any meaningful arguments to assert a claim about non-traumatic medical causes for C.S.’s death. Therefore, the postconviction court abused its discretion when it found that Baldwin’s counsel deliberately and inexcusably failed to raise the false-medical-evidence claim.

Substantive Merit of Her Claim

When analyzing whether the interests-of-justice exception applies, the postconviction court did not consider whether Baldwin’s false-medical-evidence claim has “substantive merit.” *Id.* at 488. Presumably, the postconviction court failed to do so because it erroneously concluded that this court had previously addressed the merits of the claim in *Baldwin I*. For the reasons discussed below in section II, we conclude that the allegations in Baldwin’s petition, including reports from multiple medical experts, when viewed in the light most favorable to Baldwin have substantive merit. The postconviction court previously found as much. Accordingly, Baldwin’s false-medical-evidence claim has substantive merit.

Conclusion

In sum, Baldwin demonstrated to the postconviction court that fairness requires consideration of her false-medical-evidence claim set forth in her second postconviction petition. This case presents a unique set of circumstances where the district court's previous decision denying Baldwin a continuance and the postconviction court's decision denying Baldwin funds for an expert at the postconviction stage, although not reversed on appeal, likely resulted in her not being able to bring this claim any earlier. And because Baldwin's false-medical-evidence claim has substantive merit and Baldwin's failure to raise the claim earlier was not deliberate and inexcusable, we conclude that the postconviction court abused its discretion by not applying the interests-of-justice exception to the *Knaffla* procedural bar for this claim.

B. Baldwin's petition meets the requirements for an evidentiary hearing on the false-medical-evidence claim.

Having concluded that Baldwin's false-medical-evidence claim is not procedurally barred by *Knaffla* because the interests-of-justice exception applies, we turn to whether Baldwin is entitled to an evidentiary hearing. The postconviction statute provides that "[u]nless the petition and the files and records of the proceeding conclusively show that the petitioner is entitled to no relief, the court shall promptly set an early hearing on the petition." Minn. Stat. § 590.04, subd. 1.

Baldwin asserts that she is entitled to an evidentiary hearing on her false-medical-evidence claim because, before denying the claim as *Knaffla*-barred and concluding that no exception applies, the postconviction court had already determined that "[t]he record

does not conclusively show that Baldwin is entitled to no relief.” Specifically, the postconviction court concluded that Baldwin was entitled to a hearing because the petition alleged facts that, if true, would satisfy the *Larrison* test for a new trial based on false testimony. In response, the state argues that the *Larrison* test is not applicable. Instead, the state contends that the *Rainer* test for newly discovered evidence applies, and Baldwin is not entitled to an evidentiary hearing under that test. We agree with Baldwin and the postconviction court that the *Larrison* test applies, and that Baldwin’s petition satisfies the test such that she is entitled to an evidentiary hearing.

i. The postconviction court properly determined that the *Larrison* test for false testimony applies.

To decide whether Baldwin is entitled to an evidentiary hearing, we must first determine which legal standard governs the false-medical-evidence claim. *Tichich*, 4 N.W.3d at 121. We apply the *Larrison* test to claims of false or recanted testimony when the challenged testimony is “demonstrably both factual and false.” *Kaiser v. State*, 4 N.W.3d 95, 103 (Minn. 2024); *see Larrison v. United States*, 24 F.2d 82, 87-88 (7th Cir. 1928), *overruled by United States v. Mitrione*, 357 F.3d 712, 718 (7th Cir. 2004).⁴ But we apply the *Rainer* test to claims of newly discovered evidence “when new discoveries impugn testimony that was given as an opinion or was factually accurate at the time of the trial.” *Kaiser*, 4 N.W.3d at 103; *see Rainer v. State*, 566 N.W.2d 692, 695 (Minn. 1997).

⁴ “Although *Larrison* was overruled in *Mitrione*, Minnesota courts continue to apply the *Larrison* test in cases involving witness-recantation and false-testimony claims.” *State v. Duol*, 25 N.W.3d 135, 139 n.4 (Minn. 2025) (quotation omitted).

The supreme court's recent decision in *Kaiser* guides our analysis. In *Kaiser*, the supreme court concluded that the postconviction court properly applied the *Larrison* test to the petitioner's false-testimony claim because the disputed testimony—that “there really isn't any other type of cause” for macular schisis other than abusive head trauma and “I don't think [macular schisis has] been described outside of abusive head trauma”—was treated as fact, not opinion. *Kaiser*, 4 N.W.3d at 99, 102. When concluding that the testimony in *Kaiser* was fact, not opinion, the supreme court reasoned that the prosecutor adopted the statement as factual in the state's closing argument, and emphasized “[t]his was not a so-called ‘battle of the experts,’ in which the jury was asked to believe the testimony of one expert over another, as there was no actual scientific support for the proposition that macular schisis is exclusively caused by abuse.” *Id.* at 102. The court also noted that the witness's “qualifying language, ‘that I've seen in my career,’ on its own, [did not] convert his statement into an opinion, especially since it followed the phrase ‘in seeing a lot of kids' eyes.’” *Id.* The supreme court ultimately stated that “[t]here may be times when the line between fact and opinion is difficult to discern, but the portrayal of this information as a representation of medical consensus gives us reason to treat it as a statement of fact.” *Id.* at 102-03.

Like the testimony at issue in *Kaiser*, the state portrayed the medical testimony at issue here as fact and medical consensus, rather than opinion. At trial, one of the medical examiners testified that C.S.'s brain had a hemorrhage, and the cause was a blunt force injury. He also agreed that there was “no explanation, based on [his] examination of the brain for the hemorrhage, . . . that would have been naturally occurring or a disease

process.” He further testified that, “there was not a competing non-injurious explanation for the hemorrhage. That in a 9-month-old is very concerning and rendered the manner of death as homicide.” Similarly, another medical examiner testified that he knew “of no medical intervention” that would leave a bruise on the left side of C.S.’s head. And a child-abuse pediatrician testified that C.S.’s injuries were caused by abusive head trauma. He testified that C.S. “clearly had trauma, severe trauma,” and that C.S.’s injury was not consistent with any accidental mechanism as “there is no history of any trauma in this child who would not be able to inflict this amount of injury on himself.” The state treated these statements as factual in its closing argument, telling the jury: “[t]hey said that this injury was the result of a significant violent trauma.” And “[w]hat the medicine can tell you is that this was violent. This head injury was severe, it was catastrophic, and it was almost immediately fatal.”

The state argues that *Rainer*, not *Larrison*, is the proper standard because Baldwin’s new expert opinions set forth in the postconviction petition merely offer a different view of the same evidence presented at trial, and “there is no suggestion in [Baldwin’s] case that any of the [s]tate’s . . . medical experts would testify any differently now than they testified at trial.” We disagree.

When viewed in the light most favorable to Baldwin, the new expert opinions demonstrate that medical testimony by the state’s witnesses at Baldwin’s trial was false because Baldwin’s experts’ opinions support a conclusion that natural causes may have caused C.S.’s medical condition and death. For instance, one of Baldwin’s experts concluded “that there is a very high probability that all the medical findings in [C.S.] were

caused by his severe chronic lung inflammation causing respiratory failure and subsequently heart arrest and, as a consequence of that, a hypoxic ischaemic brain injury (HII).” The same expert concluded that, “[t]here are no medical findings that can be taken as proof of violence.” Another expert concluded that “[C.S.] would have bruised easily given his condition,” and “that the bruising on [C.S.’s] body documented in the autopsy report cannot be attributed to trauma.” Baldwin’s experts do not merely offer a different view of the evidence at trial. Rather, they call into question the veracity of the state witnesses’ testimony that traumatic injury was the only possible cause of death and there was no natural cause. Moreover, there was no “battle of the experts” at Baldwin’s trial; the state adopted the testimony as fact and portrayed the conclusions as a medical consensus. *See id.* at 102.

We also note that recantation by the state’s witnesses is not required for Baldwin to prevail, and any recantation by the state’s witnesses would likely not happen until an evidentiary hearing. *See id.* at 103 (stating trial testimony of expert witness can be false even if witness did not recant and noting that witness recanted trial testimony at postconviction evidentiary hearing). We therefore conclude that the postconviction court properly determined that the *Larrison* test for false testimony applies to Baldwin’s false-medical-evidence claim.

ii. Viewing the facts alleged in the light most favorable to Baldwin, the false-medical-evidence claim meets the *Larrison* test.

Under the *Larrison* test to be entitled to a new trial: “(1) the court must be reasonably well-satisfied that the testimony in question was false; (2) without that

testimony the jury might have reached a different conclusion; and (3) the petitioner was taken by surprise at trial or did not know of the falsity until after trial.” *Id.* at 101 (quotation omitted). “The first two prongs are compulsory, but the third prong is not required in order to grant a new trial.” *Id.* (quoting *State v. Turnage*, 729 N.W.2d 593, 597 (Minn. 2007)).

“When applying the *Larrison* factors to determine whether to grant an evidentiary hearing, the postconviction court must assume the truth of the allegations in the petition.” *Ortega v. State*, 856 N.W.2d 98, 103 (Minn. 2014); *see also* Minn. Stat. § 590.04, subd. 1. Baldwin’s “burden of proof for a postconviction evidentiary hearing is lower than [her] burden for a new trial.” *Ferguson v. State*, 779 N.W.2d 555, 561 (Minn. 2010) (quotation omitted). And any “doubts about whether to conduct an evidentiary hearing should be resolved in favor of granting the hearing.” *Id.* (quotation omitted). The supreme court has “noted that evidentiary hearings are particularly appropriate when the petition attacks important evidence in a circumstantial case.” *Opsahl v. State*, 677 N.W.2d 414, 423 (Minn. 2004).

In analyzing the *Larrison* factors in its July 2024 order, the postconviction court determined that all three factors were met. The state asserts that Baldwin cannot satisfy the first *Larrison* prong, but it does not make any argument regarding the second prong. Baldwin maintains, consistent with the postconviction court’s analysis, that she is entitled to an evidentiary hearing because the *Larrison* test is satisfied. We agree.

First Prong: False Testimony

The state argues that the trial testimony is not false because it is inconsistent only with the new expert testimony. This argument is unavailing as discussed above. Other

experts' later contrary testimony can establish falsity if it goes beyond mere difference of opinion to demonstrate that the original testimony "could not have been true." *Kaiser*, 4 N.W.3d at 103-04. As the postconviction court determined, Baldwin submitted expert reports, not merely disagreeing with the state's evidence, but claiming that the evidence offered by the state's experts at trial was false. And, as noted above, the state's evidence was portrayed as fact and medical consensus. *See id.* at 102-03.

Second Prong: Impact

The second *Larrison* prong requires Baldwin to show that without the false medical testimony, "the jury might have reached a different conclusion." *Id.* at 104 (quotation omitted). This prong does not involve a "sufficiency of the evidence inquiry," although it includes a consideration of whether other evidence was "overwhelming." *Martin v. State*, 825 N.W.2d 734, 743 (Minn. 2013). "'[M]ight' means something more than an outside chance although much less than 'would probably.'" *Ortega*, 856 N.W.2d at 104 (quotation omitted). The postconviction court concluded in its July 2024 order that the jury might have reached a different conclusion, reasoning, "The testimony from the [s]tate's medical experts had a powerful inculpatory effect in this case proven through circumstantial evidence." The finding is supported by the record, as the record demonstrates that the medical evidence related to C.S.'s injury was critical to the state's case and the state's medical evidence allowed it to argue to the jury that there was only one explanation—abusive head trauma—for C.S.'s death.

Third Prong: Surprise

The third *Larrison* prong is not required for Baldwin to be entitled to an evidentiary hearing but is merely “relevant” to a false-evidence claim. *Martin*, 825 N.W.2d at 740. The postconviction court explained that “it is likely that Baldwin did not know at the time of trial that the testimony was false as she was not able to consult with an expert.” This finding is also supported by the record. As set forth above, Baldwin was likely aware that the state would present general testimony about abusive head trauma. But that does not mean that Baldwin was aware that the state would present testimony that C.S.’s injuries could not have been from natural causes or disease, or more importantly, that she was aware such testimony was false, as she did not have the benefit of an expert opinion or report.

In short, because Baldwin alleged facts, that when taken as true, meet each prong of the *Larrison* test and any “doubts about whether to conduct an evidentiary hearing should be resolved in favor of granting the hearing,” we conclude that Baldwin is entitled to an evidentiary hearing on her false-medical-evidence claim. *Ferguson*, 779 N.W.2d at 561 (quotation omitted). The postconviction court abused its discretion by denying this claim without an evidentiary hearing. We therefore conclude that reversal and remand for an evidentiary hearing on Baldwin’s false-medical-evidence claim is required.

II. The postconviction court acted within its discretion when it concluded that Baldwin is not entitled to a new trial based on her 911-call-analysis claim.

Baldwin next argues that the postconviction court abused its discretion by determining that her 911-call-analysis claim is *Knaffla*-barred and, in the alternative, fails on the merits. The state concedes that it did not assert that *Knaffla* bars Baldwin’s 911-

call-analysis claim and also concedes that it agreed to a contested evidentiary hearing. Accordingly, the state contends that we should address Baldwin's 911-call-analysis claim on the merits only and further argues the postconviction court did not abuse its discretion in denying a new trial on that claim because Baldwin's claim fails under the *Larrison* test. For the reasons explained below, we agree with the state that the postconviction court properly denied the 911-call-analysis claim on the merits under the *Larrison* test and therefore do not reach the question of whether Baldwin's claim is also procedurally barred by *Knaffla*.

We review the postconviction court's application of the *Larrison* test for an abuse of discretion. See *Kaiser*, 4 N.W.3d at 103 (determining whether postconviction court abused its discretion in finding appellant satisfied the *Larrison* test and was entitled to a new trial). As explained above, under the *Larrison* test for a new trial based on false testimony: "(1) the court must be reasonably well-satisfied that the testimony in question was false; (2) without that testimony the jury might have reached a different conclusion; and (3) the petitioner was taken by surprise at trial or did not know of the falsity until after trial." *Id.* at 101 (quotation omitted). The postconviction court determined that the first prong was met but the second and third prongs were not met. Consequently, the postconviction court denied Baldwin's request for a new trial based on this claim.

As to the first *Larrison* prong, the state argues the postconviction court abused its discretion when it determined this prong was met. The state argues that the detective's testimony was not false because the state did not present scientific 911 call analysis at Baldwin's trial but only asked the detective "to describe many of the different statements

that [Baldwin] made and how those statements . . . demonstrated [Baldwin's] overall consciousness of guilt.” “A respondent can raise alternative arguments on appeal in defense of the underlying decision when there are sufficient facts in the record for the appellate court to consider the alternative theories, there is legal support for the arguments, and the alternative grounds would not expand the relief previously granted.” *State v. Grunig*, 660 N.W.2d 134, 137 (Minn. 2003). While the state may not have intended to present false testimony and used the detective's testimony for other purposes, such as to support its consciousness-of-guilt argument, we disagree with the state's assertion that it did not present false testimony about scientific 911 call analysis at Baldwin's trial. *See Kaiser*, 4 N.W.3d at 102 (stating that state's witnesses did not need to intend to present false testimony and testimony does not have to be “perjured or fraudulent to be found false”).

The detective testified that “*it is known* when a caller is concerned for somebody's condition first and foremost, they ask for help for them.” (Emphasis added.) The state presented this uncontroverted statement as factual, but it is now demonstrably false. At the postconviction evidentiary hearing, Baldwin's expert testified that the statement was false because “all of the studies show that there's no relationship between the timing of a plea for help and guilt.” We therefore conclude that the postconviction court properly found that the first *Larrison* prong was satisfied.⁵

⁵ Baldwin contends that the postconviction court erred when it found that her trial featured only one false statement related to the timing of the plea for help. The postconviction court did not explicitly find that the second portion of the detective's statement—“Callers who

We next consider the postconviction court’s determination on the second *Larrison* prong—that it “[was] not convinced that without the false testimony, or any of the challenged portions of the trial, the jury might have reached a different conclusion.” Baldwin contends that the postconviction court clearly erred in its determination because “the false [911-call-analysis] testimony was unequivocal, incriminating, and bore directly on the statements and evidence that followed.” The postconviction court found that the second *Larrison* prong was not satisfied because the challenged testimony was a small portion of the detective’s trial testimony, several witnesses testified about when C.S.’s injury could have occurred, Baldwin made various statements to law enforcement over the course of the investigation, and the state’s case relied primarily on medical expert testimony. The postconviction court also noted that the detective conceded on cross-examination that Baldwin did request an ambulance at the beginning of the 911 call, which conflicted with the detective’s suggestion that Baldwin was guilty because she did not immediately make a plea for help. These findings are reasonably supported by the record and are not clearly erroneous.

contributed to that poor condition offer explanations which may draw attention elsewhere, distracters, things that may explain what happened before they actually ask for any help or assistance for the injured person”—was also false. We conclude that this was error, as it is undisputed this statement is also false. Baldwin’s expert testified that “subsequent studies have, again, shown that the relationship between providing extraneous information and guilt is not significant, or unreliable.” But we are not persuaded that the postconviction court clearly erred by not finding more of the challenged statements alluding to 911 call analysis false and finding that “[m]uch of the testimony challenged by Baldwin is not about the 911 call but rather about statements Baldwin made during other interrogations and interactions with law enforcement.”

Lastly, regarding the third *Larrison* prong, the postconviction court reasoned that Baldwin was unlikely taken by surprise because her trial counsel did not object to the detective's testimony, effectively cross-examined the detective, and had access to the interrogation video when the 911 call was mentioned. We note that, while these findings are supported by the record, Baldwin may not have known of the falsity until after trial as only one article questioning the validity of the 911 call analysis existed at the time of trial and the theory has only more recently been conclusively debunked. But this is not a basis to reverse, as the third *Larrison* prong is not required, but is merely "relevant" to a false-evidence claim. *Martin*, 825 N.W.2d at 740.

We therefore conclude that the postconviction court did not abuse its discretion by determining that, when the false 911-call-analysis testimony is viewed in isolation, the second *Larrison* prong was not met because "significant additional evidence" of Baldwin's guilt was presented at trial. *Ortega*, 856 N.W.2d at 104. Consequently, the postconviction court properly exercised its discretion by denying Baldwin's 911-call-analysis claim and determining that she was not entitled to a new trial based on false 911-call-analysis testimony.

We observe that if the postconviction court, on remand, concludes after an evidentiary hearing that the first *Larrison* prong is met for Baldwin's false-medical-evidence claim, that conclusion might affect the postconviction court's earlier determination that the second *Larrison* prong was not satisfied for the 911-call-analysis claim. In that event, the postconviction court must analyze the combined impact of both instances of false testimony in analyzing the second *Larrison* prong on remand. *See*

Caldwell v. State, 853 N.W.2d 766, 776 (Minn. 2014) (stating that “the second [*Larrison*] prong examines the combined impact on the verdict of all of the allegedly false trial testimony”). Accordingly, if the postconviction court concludes on remand that Baldwin’s false-medical-evidence claim meets *Larrison*’s first prong, we instruct the postconviction court to reconsider whether without both the false medical evidence and the false 911 call testimony, the jury might have reached a different result, in considering whether to vacate the conviction and order a new trial.

Affirmed in part, reversed in part, and remanded.