

*This opinion is nonprecedential except as provided by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
A25-0558**

State of Minnesota,
Respondent,

vs.

Joseph Patrick Martin, II,
Appellant.

**Filed March 16, 2026
Affirmed
Ede, Judge**

Olmsted County District Court
File No. 55-CR-24-6402

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

Michael T. Walters, Olmsted County Attorney, James E. Haase, Senior Assistant County Attorney, Rochester, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Andrea Barts, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Ede, Presiding Judge; Johnson, Judge; and Harris, Judge.

NONPRECEDENTIAL OPINION

EDE, Judge

This is an appeal from final judgments of conviction for two counts of felony domestic assault. Appellant argues that, because the probative value of evidence of his similar conduct against the victim—which the district court admitted under Minnesota

Statutes section 634.20 (2024)—is substantially outweighed by the danger of unfair prejudice, and because there is a reasonable possibility that the challenged evidence substantially influenced the jury to convict him, the court prejudicially abused its discretion in admitting the evidence. We affirm.

FACTS

Respondent State of Minnesota charged appellant Joseph Patrick Martin II with two counts of felony domestic assault, in violation of Minnesota Statutes section 609.2242, subdivision 4 (2024), and two counts of domestic assault by strangulation, in violation of Minnesota Statutes section 609.2247, subdivision 2 (2024).¹ According to the amended complaint, Martin committed multiple acts of physical assault against the victim, a woman with whom he had been in a relationship, on September 14 and 15, 2024. The matter proceeded to a jury trial. The following factual summary stems from the record of the pretrial and trial proceedings.

Under Minnesota Statutes section 634.20, the state filed pretrial notice of its intent to introduce “evidence of prior acts of domestic abuse by the defendant against the victim.” The district court heard arguments on this issue during a hearing before jury selection on the first day of trial. The state explained that it sought to admit evidence of incidents involving Martin and the victim that occurred in the days before and after the charged conduct. Moreover, the state maintained that the evidence “shows the context of their relationship and how [Martin] treats the people close to [him]” and that the evidence

¹ The state initially charged Martin with only one count of felony domestic assault, but later filed an amended complaint charging all four offenses described above.

concerned “intertwining offenses . . . in relation to the [charged] offenses.” Martin objected, asserting that it was “very prejudicial” and that “the prejudice significantly outweighs . . . the probative value” of the evidence. The district court ruled that the evidence was admissible, reasoning that it meets “the definition of 634.20” and “just explains the relationship,” and that “the probative value . . . is [not] substantially outweighed by the danger of unfair prejudice.”

At trial, the victim testified about the charged incidents, which she said occurred on September 14 and 15, 2024, at Martin’s apartment. More specifically, the victim stated that, on September 14, Martin “got aggressive with [her] by putting his hands on [her], on [her] throat, [her] arms, [her] legs,” and by “pulling [her] hair.” The victim testified that, as Martin grabbed her throat, “[h]e was just tossing [her] like a rag doll” and “hitting [her] head on his nightstand.” And the victim said that “the same thing happened again” on September 15—Martin was “aggressive” and “grabb[ed] [her] throat, . . . yank[ed] [her] hair, [and] grabb[ed] [her] by the arms[] [and] legs.”

The victim also provided the following testimony, which the district court admitted under Minnesota Statutes section 634.20, with a limiting instruction.² According to the

² Each time the district court admitted testimony about the Minnesota Statutes section 634.20 evidence, the court provided the jury a limiting instruction. For example, the first limiting instruction that the district court gave the jury provides in relevant part:

Ladies and gentlemen of the jury, you are about to hear evidence of conduct by . . . Martin on one or more separate occasions. This evidence is being offered for the limited purpose of demonstrating the nature and extent of the relationship between . . . Martin and [the victim] in order to assist you in determining whether . . . Martin committed those

victim, on September 13, 2024, she and Martin had “an eight-hour [phone] conversation” that involved “[a] lot of paranoia” and accusations that the victim “was having sex with multiple other men.” The victim said that, the next day (i.e., before the incident at Martin’s apartment), Martin “picked [her] up” and “put [her] in the car,” after which they began to argue, Martin “kept on accusing [her] of things,” and they “both got physical with each other.” And the victim described an incident that occurred on September 18, in which Martin said something that made the victim angry, the victim started walking away, and Martin “grabbed [her] by the hair,” pulled her toward his car, “grabbed [her] by the neck,” “hit [her] up against the car,” and told her “how he was [going to] kill [her] by throwing [her] into [a] river.”

Aside from these statements by the victim, the victim’s probation officer testified that the victim told the probation officer in text messages that Martin had “threatened to kill her, . . . was verbally, mentally, and emotionally abusive to her, and . . . had grabbed her by the arms . . . on September 14th, 15th, and 18th.” Martin’s supervised-release officer also testified that the victim told her that “there [were] three inciden[t]s of domestic violence that she was the victim of with . . . Martin on the 14th and 15th of . . . [September,]” as well as “a third incident that happened out of county.” And a law

acts with which he’s charged in the complaint. This evidence is not to be used to prove the character of . . . Martin or that he acted in conformity with such character. . . . Martin is not being tried for, and may not be convicted of, any behavior other than the charged offense[s]. You’re not to convict . . . Martin on the basis of conduct on these separate occasions.

The district court’s other limiting instructions are worded similarly.

enforcement officer testified about his recorded conversation with the victim regarding the various incidents; a copy of the recording was admitted into evidence, along with photographs of the victim's right arm—which showed a small bruise—and her legs.

Noting that the evidence was “for the limited purpose of demonstrating the nature and extent of the relationship between” Martin and the victim, and “whether [Martin] committed . . . the acts that happened on September 14th and 15th,” the state referenced the Minnesota Statutes section 634.20 evidence during its opening statement and closing arguments. The district court's final charge to the jury included an instruction that the section 634.20 evidence was “admitted for the limited purpose of demonstrating the nature and extent of the relationship between . . . Martin and [the victim] in order to assist [the jury] in determining whether . . . Martin committed those acts with which he [was] charged in the complaint.” And the instruction informed the jury that the section 634.20 evidence was “not to be used to prove the character of . . . Martin or that he acted in conformity with such character,” that Martin was “not being tried for, and [could] not be convicted of, any behavior other than the charged offense[s],” and that the jury was “not to convict . . . Martin on the basis of similar conduct on a separate occasion.” Martin did not object to any of the district court's limiting instructions about the section 634.20 evidence.

The jury returned guilty verdicts on both counts of felony domestic assault and not-guilty verdicts on both counts of domestic assault by strangulation. The district court sentenced Martin to 39 months' imprisonment for one count of felony domestic assault and a consecutive term of 12 months' imprisonment for the second count, for a total of 51 months' imprisonment. Martin appeals.

DECISION

Martin contends that, because the probative value of the evidence of his similar conduct against the victim is substantially outweighed by the danger of unfair prejudice, and because there is a reasonable possibility that this evidence substantially influenced the jury to convict him, the district court prejudicially abused its discretion in admitting the evidence under Minnesota Statutes section 634.20. In particular, Martin maintains that the section 634.20 evidence has minimal probative value—which he claims is limited to showing his bad character—and that there is a significant danger of unfair prejudice. The state counters that, among other things, the district court did not abuse its discretion in admitting the section 634.20 evidence. We agree with the state.

“Appellate courts review a district court’s evidentiary rulings for an abuse of discretion.” *State v. Boswell*, 20 N.W.3d 640, 651 (Minn. App. 2025) (citing *State v. Ali*, 855 N.W.2d 235, 249 (Minn. 2014)), *rev. denied* (Minn. June 25, 2025). “A district court abuses its discretion when its decision is based on an erroneous view of the law or is against logic and the facts in the record.” *State v. Fernandez Sorto*, 12 N.W.3d 207, 214 (Minn. App. 2024) (quoting *State v. Hallmark*, 927 N.W.2d 281, 291 (Minn. 2019)), *rev. denied* (Minn. Dec. 17, 2024). “Even if the evidence was erroneously admitted, appellate courts generally will not reverse a verdict ‘unless there is a reasonable possibility that the wrongfully admitted evidence significantly affected the verdict.’” *Boswell*, 20 N.W.3d at 651 (quoting *State v. Bigbear*, 10 N.W.3d 48, 54 (Minn. 2024)). “The appellant bears the burden to show that evidence was erroneously admitted and that it prejudiced him.” *Id.* (citing *State v. Ness*, 707 N.W.2d 676, 685 (Minn. 2006)).

Minnesota Statutes section 634.20 provides in relevant part:

Evidence of similar conduct by the accused against the victim of domestic abuse . . . is admissible unless the probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issue, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

“‘Similar conduct’ includes, but is not limited to, evidence of domestic abuse” Minn. Stat. § 634.20. “‘Domestic abuse’ . . . ha[s] the meaning[] given under section 518B.01, subdivision 2.” *Id.* As relevant here, domestic abuse includes (1) “physical harm, bodily injury, or assault,” (2) “the infliction of fear of imminent physical harm, bodily injury, or assault,” or (3) “terroristic threats, within the meaning of section 609.713, subdivision 1.” Minn. Stat. § 518B.01, subd. 2(a) (2024). For present purposes, “terroristic threats” is defined as “threaten[ing], directly or indirectly, to commit any crime of violence with purpose to terrorize another . . . or in a reckless disregard of the risk of causing such terror.” Minn. Stat. § 609.713, subd. 1 (2024). And as pertains to this case, the definition of “crime of violence” includes first- and second-degree murder and manslaughter under Minnesota Statutes sections 609.185, .19, .20, and .205 (2024). Minn. Stat. § 609.1095, subd. 1(d) (2024); *see also* Minn. Stat. § 609.713, subd. 1 (“As used in this subdivision, ‘crime of violence’ has the meaning given ‘violent crime’ in section 609.1095, subdivision 1, paragraph (d).”).

Under Minnesota Statutes section 634.20, district courts may admit “evidence of prior conduct between the accused and the alleged victim . . . to illuminate the history of the relationship, that is, to put the crime charged in the context of the relationship between

the two.” *State v. Zinski*, 927 N.W.2d 272, 278 (Minn. 2019) (quoting *State v. McCoy*, 682 N.W.2d 153, 159 (Minn. 2004)).³ The Minnesota Supreme Court has “on numerous occasions recognized the inherent value of evidence of past acts of violence committed by the same defendant against the same victim.” *State v. Bell*, 719 N.W.2d 635, 641 (Minn. 2006) (quotation omitted). Thus, “evidence of similar conduct in domestic abuse trials is relevant and admissible unless the probative value of the evidence is substantially outweighed by the danger of unfair prejudice.” *Id.* (quotation omitted).

“When balancing the probative value against the potential prejudice, unfair prejudice is not merely damaging evidence, even severely damaging evidence; rather, unfair prejudice is evidence that persuades by illegitimate means, giving one party an unfair advantage.” *Id.* (quotation omitted). Persuasion by illegitimate means includes “leading the jury to improperly conclude that [the defendant] has a propensity to behave criminally and should now be convicted, and punished, for the charged offenses.” *State v. Hormann*, 805 N.W.2d 883, 891 (Minn. App. 2011), *rev. denied* (Minn. Jan. 17, 2012). But unfair prejudice does not mean “damage to the opponent’s case that results from the legitimate probative force of the evidence.” *State v. Mosley*, 853 N.W.2d 789, 797 (Minn. 2014)

³ In *McCoy*, the Minnesota Supreme Court “expressly adopt[ed] Minn. Stat. § 634.20 as a rule of evidence for the admission of evidence of similar conduct by the accused against the alleged victim of domestic abuse.” 682 N.W.2d at 161. “In *State v. Fraga*, 864 N.W.2d 615, 627 (Minn. 2015), [the Minnesota Supreme Court] explicitly extended that adoption to the amended version of Minn. Stat. § 634.20.” *Zinski*, 927 N.W.2d at 274 n.4. And in *McCoy*, the supreme court further held “that Minn. Stat. § 634.20 provides for the admission of similar conduct in domestic abuse cases without requiring the heightened standard that the evidence be clear and convincing,” as is required for the admission of evidence under Minnesota Rule of Evidence 404(b). 682 N.W.2d at 158–59.

(quotation omitted). “A district court’s limiting instruction lessens the probability of undue weight being given by the jury to the evidence.” *State v. Ware*, 856 N.W.2d 719, 729 (Minn. App. 2014) (quotation omitted).

In admitting the challenged evidence, the district court reasoned that the evidence meets “the definition of 634.20” and “just explains the relationship,” and that “the probative value . . . is [not] substantially outweighed by the danger of unfair prejudice.” We discern no abuse of discretion in the district court’s ruling.

The district court acted within its discretion in determining that the Minnesota Statutes section 634.20 evidence illuminated Martin’s relationship with the victim in the days before and after the charged offenses, thereby contextualizing Martin’s conduct. *See Zinski*, 927 N.W.2d at 278. The challenged evidence had “inherent value” because it concerned “acts of violence committed by the same defendant against the same victim.” *Bell*, 719 N.W.2d at 641 (quotation omitted). And the section 634.20 evidence had probative value as to the victim’s credibility, inasmuch as it helped the jury evaluate the victim’s account. *See Boswell*, 20 N.W.3d at 653 (concluding “the testimony about [the defendant’s] abuse of a past romantic partner had significant probative value because it helped the jury evaluate the credibility of [the victim’s] account of abuse”).

At the same time, the district court did not abuse its discretion in deciding that the Minnesota Statutes section 634.20 evidence was not unfairly prejudicial because it neither persuaded by illegitimate means nor gave the state an unfair advantage. *See Mosley*, 853 N.W.2d at 797; *Bell*, 719 N.W.2d at 641; *Hormann*, 805 N.W.2d at 891. Moreover, the district court’s repeated limiting instructions “lessen[ed] the probability of undue weight

being given by the jury to the evidence.” *Ware*, 856 N.W.2d at 729 (quotation omitted). Although Martin asserts that the district court’s final, unobjected-to jury instructions “exacerbated rather than lessened the potential for unfair prejudice by virtually ensuring the jury would consider the improperly admitted evidence when deciding Martin’s guilt,” binding precedent required the court to “instruct the jurors on the proper use of [the section 634.20] evidence.” *Zinski*, 927 N.W.2d at 278 (footnote omitted) (holding that, “when a district court admits relationship evidence under Minn. Stat. § 634.20, over a defendant’s objection that the evidence does not satisfy section 634.20, the court must sua sponte instruct the jurors on the proper use of such evidence, unless the defendant objects to the instruction by the court”). Because the district court’s unobjected-to limiting instructions accurately informed the jury about the proper use of the section 634.20 evidence and discharged the court’s duty under *Zinski* to sua sponte instruct the jury, we reject Martin’s argument that the court’s instructions “exacerbated rather than lessened the potential for unfair prejudice.”

In sum, because the probative value of the Minnesota Statutes section 634.20 evidence is not substantially outweighed by the danger of unfair prejudice, the district court acted within its discretion in admitting the evidence.⁴

Affirmed.

⁴ In light of our conclusion, we need not address whether “there is a reasonable possibility that the . . . admitted evidence significantly affected the verdict.” *Boswell*, 20 N.W.3d at 651 (quotation omitted).