

*This opinion is nonprecedential except as provided by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
A25-0796**

Alexander James King,
Respondent,

vs.

Rosemary Christine Forschen,
Appellant.

**Filed November 17, 2025
Affirmed
Reyes, Judge**

Washington County District Court
File No. 82-CV-25-1092

Alexander James King, Forest Lake, Minnesota (self-represented respondent)

Shawn C. Reinke, Victoria M.B. Taylor, Reinke Taylor, PLLC, St. Paul, Minnesota (for appellant)

Considered and decided by Reyes, Presiding Judge; Worke, Judge; and Johnson, Judge.

NONPRECEDENTIAL OPINION

REYES, Judge

In this direct appeal from the district court's grant of a harassment restraining order (HRO), appellant argues that the district court abused its discretion by (1) misapplying the law and (2) making a decision against logic and the facts on record. We affirm.

FACTS

This appeal arises from an HRO granted amidst ongoing and contentious proceedings to enforce a 2024 dissolution decree between appellant Rosemary Christine Forschen and respondent Alexander James King. Each party has an HRO against the other. At issue here, however, is the HRO received by King against Forschen, his former wife.

King filed a form petition for an HRO against Forschen in February 2025. The form lists various “acts of harassment” and asks the petitioner to “[c]heck all boxes that apply.” King checked five boxes on his form petition, including one stating, “[Forschen] has followed, monitored, or pursued the victim.” Beneath this selection, King explained that Forschen “engaged in a pattern of stalking [him] via social media, via mutual contacts, and in person.” King then described the effect of the harassment:

[Forschen’s] behavior has caused me to fear for my safety, to constantly be on high alert in and out of my home, to purchase software to record phone calls on my phone, and to withdraw from all contact with anyone that I do not previously know to be a trusted and safe party, for fear that she will create a reason to have me arrested.

Later that day, the district court granted King a temporary ex parte HRO against Forschen.

Forschen requested a hearing on King’s HRO petition, which was held in April 2025. There, King testified about the events described in his HRO petition. He also discussed an instance of harassment postdating the ex parte HRO, claiming that Forschen obtained and used screenshots of posts from his Reddit account in a postdissolution filing.¹

¹ King previously attempted to block Forschen’s access to his social-media posts. He could not block her access to his posts on Reddit because the website is publicly accessible, even to individuals without accounts.

King stated that Forschen’s acts negatively impacted his sleep, appetite, mental health, and sense of safety while engaging in social interactions. Forschen denied harassing King and argued that her acts were intended only to support her position in the parties’ postdissolution proceedings.

Using a form order, the district court granted King a two-year HRO against Forschen. The court checked two boxes to indicate the specific acts of harassment in which Forschen engaged, including one stating that she “[f]ollowed, monitored, or pursued” King.

This appeal follows.

DECISION

Forschen first argues that the district court misapplied the law by selecting an option on the civil HRO form order that uses language mirroring one definition of harassment in the criminal-harassment statute. *See* Minn. Stat. §§ 609.748 (HRO), .749 (criminal penalties for harassment) (2024). Forschen’s second argument is that the district court’s decision to grant the HRO is against logic and the facts on record. We address each argument in turn.

A district court may issue an HRO if it finds “that there are reasonable grounds to believe that the respondent has engaged in harassment.” Minn. Stat. § 609.748, subd. 5(a), (b)(3). This court reviews a district court’s decision to issue an HRO for an abuse of discretion. *Peterson v. Johnson*, 755 N.W.2d 758, 761 (Minn. App. 2008). “A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record.” *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quotation omitted). We review

the district court's findings of fact for clear error. *Kush v. Mathison*, 683 N.W.2d 841, 843-44 (Minn. App. 2004), *rev. denied* (Minn. Sept. 29, 2004). But review of the district court's interpretation of the HRO statute is de novo. *Peterson*, 755 N.W.2d at 761.

I. The district court applied the law correctly.

Forschen argues that the district court misapplied the law by relying on an incorrect definition of “harassment” and effectively incorporated a criminal harassment statute into the HRO statute.² We are not persuaded.

The civil HRO statute defines “harassment” as, among other things, “repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another.” Minn. Stat. § 609.748, subd. 1(a)(1). A separate criminal statute lists acts that constitute harassment for the purpose of incurring criminal penalties. *See* Minn. Stat. § 609.749, subd. 2(c)(1)-(8).

The district court used a form order to grant King's HRO. In that order, the district court checked two boxes to indicate the specific acts of harassment in which Forschen engaged. The first stated that “[t]here are reasonable grounds to believe that Respondent has engaged in harassment which has or is intended to have a substantial adverse effect on safety, security, or privacy of Petitioner.” The second checked box stated that Forschen

² Forschen cites two nonprecedential opinions of this court in her appellate brief. Neither opinion is binding on this court. And because we do not find them persuasive, we do not discuss them. *See* Minn. R. Civ. App. P. 136.01, subd. 1(c) (“Nonprecedential opinions and order opinions are not binding authority except as law of the case, res judicata or collateral estoppel, but nonprecedential opinions may be cited as persuasive authority.”).

“[f]ollowed, monitored, or pursued the Petitioner as follows:” The district court then provided several paragraphs of factual findings, analyses, and credibility determinations in support of its decision that Forschen’s acts constituted harassment.

We conclude that the district court did not misapply the law when it found that Forschen’s acts constituted harassment for the purpose of granting King’s HRO. The definitions of harassment in the HRO statute and the criminal harassment statute are not mutually exclusive. In other words, the HRO statute’s reference to “acts” encompasses a range of conduct, so long as the acts are (1) numerous, (2) intrusive or unwanted, and (3) have or are intended to have the requisite effect on the HRO petitioner. *See* Minn. Stat. § 609.748, subd. 1(a)(1).³

II. The district court delivered a decision consistent with logic and the facts on record.

Forschen argues that her acts were not objectively unreasonable and that King’s belief about her acts was not objectively reasonable. We are not convinced.

When presented with an HRO petition, the district court must analyze both the respondent’s acts and the petitioner’s beliefs about those acts because the HRO statute “requires both objectively unreasonable conduct or intent on the part of the harasser and an objectively reasonable belief on the part of the person subject to harassing conduct.”

³ This court previously suggested that monitoring an HRO petitioner, even without the petitioner’s contemporaneous knowledge of the monitoring, may constitute harassment. *Houck v. Houck*, 979 N.W.2d 907, 911 (Minn. App. 2022) (“[T]he new allegation that [respondent] recorded her phone conversations on multiple separate occasions comprises repeated incidents of intrusive or unwanted acts that, if proved, may be sufficient to justify an HRO.”).

Dunham v. Roer, 708 N.W.2d 552, 567 (Minn. App. 2006), *rev. denied* (Minn. Mar. 28, 2006). The district court makes findings of fact when it determines the reasonableness of the respondent’s conduct or intent and the reasonableness of the petitioner’s beliefs. *Wilson v. Wilson*, 11 N.W.3d 331, 338-40 (Minn. App. 2024), *rev. denied* (Minn. Dec. 17, 2024).

Appellate courts apply a clear-error standard of review to a district court’s factual findings. *See Kush*, 683 N.W.2d at 843-44. A factual finding is clearly erroneous if it is “manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021) (quotation omitted). Under the clear-error standard of review, this court “view[s] the evidence in a light favorable to the findings.” *Id.* We do not engage in independent fact-finding, reweigh the evidence, or disturb credibility determinations. *See id.* at 221-23. The ultimate determination of whether to grant an HRO “is left to the discretion of the district courts.” *Kush*, 683 N.W.2d at 846.

When analyzing an HRO petition, district courts may consider subjective and contextual information demonstrating how acts that may not be harassing in some situations can nonetheless be harassing in others. *See id.* at 845; *see also State v. Bock*, 490 N.W.2d 116, 120 (Minn. App. 1992) (“Because intent is a state of mind, it is generally determined by inferences drawn from the person’s words or actions in light of all the surrounding circumstances.”), *rev. denied* (Minn. Aug. 27, 1992). The history of the parties’ relationship is relevant because it helps the district court make credibility

determinations and analyze “the alleged harasser’s intent at the time they engaged in the alleged unreasonable conduct.” *Wilson*, 11 N.W.3d at 338.

Here, the district court found that Forschen engaged in three acts of harassment: (1) Forschen went to the courthouse and sat in the car while her mother went inside to watch King’s criminal hearing; (2) Forschen took photos of the homestead of which King was awarded sole possession in the dissolution proceedings; and (3) Forschen sought out King’s social-media posts after he received an ex parte HRO against her that prohibited her from having “indirect contact” with him.

First, Forschen denies having any intent other than to support her position in the postdissolution proceedings. On this point, Forschen cannot prevail because the district court did not find her testimony concerning her intent credible, and we defer to the district court’s credibility determinations. *Id.* at 337.

Second, Forschen argues that her acts were not objectively unreasonable and therefore cannot constitute harassment. *See Dunham*, 708 N.W.2d at 567. Forschen seeks to explain the reasonableness of each of her acts. But, as the district court stated, King was actively attempting to avoid her, both in person and online. Forschen had no reason to place herself in King’s path and thereby place King at risk of violating her HRO against him. The district court did not clearly err by finding that Forschen engaged in objectively unreasonable conduct.

Lastly, Forschen argues that King’s belief about her acts of harassment is not objectively reasonable. *See id.* The district court disagreed, finding that “[b]eing monitored and followed would have a substantial adverse effect on any reasonable person

in similar circumstances.” In King’s HRO petition, he described instances in which Forschen requested the imposition of criminal penalties on King. During the parties’ dissolution proceedings, Forschen asked the district court to leverage King’s expressed fear of being jailed to force his compliance with court orders. Forschen also asked “that the [district] court give [King] the keys to his own jail cell” by imposing certain requirements for King to avoid being jailed.⁴

Nonetheless, Forschen contends that the evidence of an adverse effect on King is insufficient, and King’s inappropriate past behavior shows that his assertions are not credible. *See* Minn. Stat. § 609.748, subd. 1(a)(1) (requiring, for an HRO, substantial adverse effect or intention to have such effect on petitioner). The district court stated that King admitted struggling with mental health and that it had observed firsthand that he “can become emotionally dysregulated” in response to Forschen’s harassing acts. King’s past behavior and Forschen’s knowledge of and experience with it provide context to and support the district court’s finding that King’s belief was objectively reasonable. *Cf. Kush*, 683 N.W.2d at 845 (facially innocent but calculated conduct may support an HRO). Further, as the district court stated, the evidence presented to it and “the parties’ tumultuous history” show that neither wants contact with the other and that both parties are aware of this. *Cf. Wilson*, 11 N.W.3d at 338 (holding that “the district court appropriately”

⁴ We acknowledge that Forschen’s choice of language is not unusual in civil contempt proceedings. *See, e.g., Mahady v. Mahady*, 448 N.W.2d 888, 890 (Minn. App. 1989) (citing Minn. Stat. § 588.12 (1988)) (“[C]ivil contempt is said to give the contemnor the keys to the jail cell . . .”). But, as we repeat throughout this opinion, it is the context in which an HRO is requested that can transform a respondent’s otherwise unremarkable statement into support for an HRO.

considered the parties' relationship history "to inform its decision regarding the allegations of . . . harassment"). We conclude that the district court did not "deliver[] a decision that is against logic and the facts on record" by granting King's HRO against Forschen. *Woolsey*, 975 N.W.2d at 506.

Affirmed.