

*This opinion is nonprecedential except as provided by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
A25-0810**

Ellis Scott Tooles, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

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

St. Louis County District Court
File Nos. 69DU-CR-16-2418; 69DU-CR-17-215

Cathryn Middlebrook, Chief Appellate Public Defender, Chelsie M. Willett, Assistant Public Defender, St. Paul, Minnesota (for appellant)

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

Kimberly Maki, St. Louis County Attorney, Nathaniel T. Stumme, Assistant County Attorney, Duluth, Minnesota (for respondent)

Considered and decided by Reyes, Presiding Judge; Larkin, Judge; and Kirk,
Judge.*

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

REYES , Judge

Following a conviction of second-degree criminal sexual conduct and third-degree sale of a controlled substance, appellant argues that the postconviction court abused its discretion by denying his postconviction petition to withdraw his guilty pleas. We affirm.

FACTS

In June 2016, respondent State of Minnesota charged appellant Ellis Scott Tooles with first-degree sale of a controlled substance in violation of Minn. Stat. § 152.021, subd. 1(1) (2014), second-degree sale of a controlled substance in violation of Minn. Stat. § 152.022, subd. 1(1) (2014), and child endangerment in violation of Minn. Stat. § 609.378, subd. 1(b)(2) (2014). In January 2017, in a separate case, the state charged appellant with first-degree criminal sexual conduct in violation of Minn. Stat. § 609.342, subd. 1(a) (2014).

In April 2017, appellant entered into a plea agreement with the state to resolve both cases by pleading to two lesser charges. He pleaded guilty to one count of second-degree criminal sexual conduct in violation of Minn. Stat. § 609.343, subd. 1(a) (2014), and one count of third-degree sale of a controlled substance in violation of Minn. Stat. § 152.023, subd. 1(1) (2014).

While his criminal cases proceeded in state court, appellant also faced criminal charges in federal court. Two public defenders represented appellant in state district court, while a different attorney represented appellant in federal court.

At his plea hearing, appellant confirmed that he went through the signed plea agreement with defense counsel, he had no questions about the pleas, and he understood the plea agreement. The district court accepted appellant's pleas at the hearing.

To ensure that appellant's federal and state sentences ran concurrently, the parties here agreed to delay sentencing until appellant received his federal sentence. In June 2018, more than one year after appellant entered his guilty pleas,¹ the district court sentenced appellant to 51 months in prison for the controlled-substance conviction and 70 months in prison for the criminal-sexual-conduct conviction. Consistent with the parties' plea agreement, the district court ordered the sentences to run concurrent to one another and to appellant's federal sentence.

In the summer of 2023, appellant filed a postconviction petition to withdraw his guilty pleas. The postconviction court held an evidentiary hearing, at which only appellant testified.

Appellant's testimony included claims that defense counsel coerced him and led him to believe that, if he did not plead guilty in state court, he would face a life sentence in federal court. Appellant testified that he expressed concerns with defense counsel about the plea recommendation and appellant's lack of access to discovery. Appellant asserted that, had he known that a life sentence in federal court "wasn't even on the table," he would have gone to trial.

¹ Appellant raised no concerns about his pleas in the year between their entry and his sentencing.

In an affidavit attached to his postconviction petition, appellant also contended that defense counsel “advised [him] that the sooner [he] signed a plea petition, the less time that [he] would get because a jury in Duluth, Minnesota would never believe a black drug dealer, especially when the alleged [criminal-sexual-conduct] victim was a white child.” At the hearing, appellant testified that, despite his stated desire to go to trial, defense counsel essentially told him: “[L]isten, man, you’re black. You’re in this. You’re going to get convicted. It’ll be like, it’s over with. So don’t even try to play with these people. Go ahead and take the plea.”

Appellant presented an affidavit from his mother and his own testimony in support of his assertions concerning his mental health and cognitive health. The affidavit stated that appellant struggled to read and write, experienced attention-deficit/hyperactivity disorder (ADHD) “as a child,” and that there was “no way” appellant could have “knowingly signed a plea agreement with his mental health and learning disability.” At the hearing, appellant testified that he has mental-health and cognitive-health conditions and that defense counsel knew of these conditions. He contended that he had asked defense counsel for a psychiatric evaluation because he “was having a mental breakdown,” but defense counsel never ordered an evaluation. He also testified that he had medical records of growing up with ADHD and posttraumatic stress disorder but that “it’s been a challenge” to get them and he “was unable to . . . receive them.” Appellant provided no medical records, no evidence showing efforts to obtain medical records, and no other evidence in support of his assertions concerning his health.

Appellant testified that “everything was confusing to [him]” during his plea hearing and that he was being “ping-pong[ed]” between state district court and federal court.

Lastly, appellant testified briefly that he did not receive his discovery until after sentencing.

The postconviction court denied appellant’s postconviction petition. It determined that appellant’s testimony “was not sufficiently credible and reliable to establish by a preponderance of the evidence that his pleas were not voluntary or intelligent.”

This appeal follows.

DECISION

Appellate courts “review the denial of a petition for postconviction relief for an abuse of discretion.” *See Pearson v. State*, 891 N.W.2d 590, 596 (Minn. 2017). An abuse of discretion occurs when the postconviction court “has exercised its discretion in an arbitrary or capricious manner, based its ruling on an erroneous view of the law, or made clearly erroneous factual findings.” *Id.* (quotation omitted). Appellate courts apply de novo review to questions of law and clear-error review to questions of fact. *See id.* We do not, however, “disturb credibility determinations on appeal.” *Carter v. State*, 787 N.W.2d 675, 679 (Minn. App. 2010).

A postconviction court must allow a defendant to withdraw their plea if it is necessary to correct a manifest injustice. Minn. R. Crim. P. 15.05, subd. 1.² A manifest

² Relying on an exception to the typical two-year time-bar for postconviction petitions, the postconviction court decided appellant’s postconviction petition on its merits. *See* Minn. Stat. § 590.01, subd. 4(b)(5) (2024). The state does not challenge this determination.

injustice occurs when a guilty plea is not constitutionally valid. *State v. Raleigh*, 778 N.W.2d 90, 94 (Minn. 2010). “To be constitutionally valid, a guilty plea must be accurate, voluntary, and intelligent.” *Id.* Whether a guilty plea is constitutionally valid is a question of law. *State v. Jones*, 921 N.W.2d 774, 778 (Minn. App. 2018), *rev. denied* (Minn. Feb. 27, 2019).

Appellant argues that his pleas were involuntary and unintelligent. We address each argument in turn.

I. Appellant entered voluntary guilty pleas.

Appellant argues that his pleas were involuntary because defense counsel advised him that, due to his race, he would be convicted at trial and that a conviction at trial would lead to a life sentence for any future federal convictions. He also argues that his cognitive- and mental-health conditions made him especially vulnerable to defense counsel’s coercion. We are not persuaded.

“To determine whether a plea is voluntary, the court examines what the parties reasonably understood to be the terms of the plea agreement.” *Raleigh*, 778 N.W.2d at 96. “Whether a plea is voluntary is determined by considering all relevant circumstances.” *Id.* “[A] plea is involuntary when it is induced by coercive or deceptive action.” *Dikken v. State*, 896 N.W.2d 873, 877 (Minn. 2017). When reviewing testimony, we defer to the postconviction court’s credibility determinations. *Jones*, 921 N.W.2d at 783.

Appellant argues that defense counsel’s advice concerning the effect of his race on a trial outcome and a potentially lengthy federal sentence if convicted effectively “overwhelmed his will.” However, a guilty plea is not rendered involuntary by the mere

fact that an appellant faced serious criminal consequences, nor by the fact that the decision of whether to accept a plea agreement may be stressful. *Cf. State v. Ecker*, 524 N.W.2d 712, 718-19 (Minn. 1994) (“[A] defendant’s motivation to avoid a more serious penalty or set of charges will not invalidate a guilty plea.”); *Raleigh*, 778 N.W.2d at 96 (“Raleigh offers no further explanation of how stress, irrational thinking, improper pressure, or coercion influenced his plea decision . . .”). Moreover, in support of his contentions about defense counsel’s advice, appellant relies on only his own testimony. The postconviction court found this testimony not credible, and this court defers to that finding.

Appellant also asserts that he has cognitive- and mental-health conditions that made him more vulnerable to defense counsel’s coercion. For this assertion, appellant relied on only his own testimony, which the postconviction court found not credible. Appellant also does not explain how the conditions rendered his pleas involuntary. Lastly, at the plea hearing, appellant confirmed that he went through the plea agreement with defense counsel, he understood the agreement, and he had no questions about the agreement. Appellant has not established that his health conditions rendered his guilty pleas involuntary.

II. Appellant entered intelligent guilty pleas.

Appellant contends that his pleas were not entered intelligently because (1) his health conditions made him “unable to fully understand the complexities of his cases and how his state pleas would affect his federal sentence”; (2) he did not receive a copy of his discovery until after sentencing and, therefore, “there was a lot of information that he was not privy to”; and (3) defense counsel’s incorrect advice led appellant to “believe[] that he

would receive a life sentence in federal court if he did not plead guilty.” We are not persuaded.

“[A] guilty plea must represent a knowing and intelligent choice among the alternative courses of action available.” *Dikken*, 896 N.W.2d at 877 (quotation omitted). To assess whether a plea is intelligently entered, this court focuses “on what [a] defendant knew at the time [they] entered the plea.” *Id.* “The intelligence requirement ensures that a defendant understands [(1)] the charges against him, [(2)] the rights he is waiving, and [(3)] the consequences of his plea.” *Raleigh*, 778 N.W.2d at 96. If a defendant understood these three aspects of their plea, they intelligently entered it. *Dikken*, 896 N.W.2d at 877.

Appellant first contends that he could not understand the charges against him due to his health conditions. But appellant relied on only his own discredited testimony for this contention. Furthermore, the plea-hearing transcript shows that appellant confirmed that he understood the charges against him. The state went through the factual bases for the pleas, to which appellant orally agreed. Appellant also affirmed each allegation by the state. Colloquies at plea hearings in which a defendant confirms understanding of the three aspects of an intelligent plea support the conclusion that they entered an intelligent plea. *See, e.g., id.* at 878.

Appellant next contends that his late receipt of discovery materials impaired his ability to understand the charges against him. As an example, appellant asserts that “once [he] received his discovery, he realized that there were no search warrants requested to search his funds, which he said he would have challenged had he known prior to pleading guilty.” But a search of appellant’s funds was not part of the factual basis of either of his

guilty pleas.³ Other than this search warrant, appellant does not share what evidence he was not privy to or what evidence he might have challenged. Additionally, at his plea hearing, appellant confirmed that he had talked to defense counsel about his “files . . . several times.” Ultimately, the record supports the postconviction court’s determination that any belated receipt of discovery did not justify withdrawal of appellant’s guilty plea.

Appellant also argues that he misunderstood the effect his pleas in state court would have on his criminal sentence in federal court, thinking that he needed to plead guilty to avoid a life sentence. But this misunderstanding does not render his plea unintelligent. When this court refers to a defendant’s understanding of the consequences of their plea, we refer to the *direct* consequences of the plea. See *Taylor v. State*, 887 N.W.2d 821, 823 (Minn. 2016). “Direct consequences are definite, immediate, and automatic and are punitive and a part of a defendant’s sentence.” *State v. Brown*, 896 N.W.2d 557, 561 (Minn. App. 2017) (quotations omitted), *rev. denied* (Minn. July 18, 2017). By contrast, collateral consequences “are civil and regulatory in nature.” *State v. Crump*, 826 N.W.2d 838, 842 (Minn. App. 2013) (quotation omitted), *rev. denied* (Minn. May 21, 2013). Examples of collateral consequences include potentially enhanced “sentences for future convictions” and “a potential probation-violation penalty in an unrelated case.” *Id.* at 843; *Brown*, 896 N.W.2d at 562. “[A] a defendant’s lack of awareness of a collateral consequence of a guilty plea does not render the guilty plea unintelligent and entitle a

³ The parties do not explain the reason for the search of appellant’s funds. Nor do they state whether the search was conducted in connection to his state criminal charges, his federal criminal charges, or both.

defendant to withdraw it.” *Taylor*, 887 N.W.2d at 823. Even misinformation from defense counsel about a collateral consequence does not automatically render a plea unintelligent. *Cf. Brown*, 896 N.W.2d at 563 (“The caselaw does not compel us to conclude that misinformation about a collateral consequence renders a plea unintelligent and manifestly unjust.”).

The effect of a defendant’s guilty plea in state court on his criminal sentence in federal court is a collateral consequence. The effect is not “definite, immediate, and automatic,” nor is it “part of a defendant’s sentence.” *See id.* at 561.

Even if the effect of a guilty plea in state court on a criminal sentence in federal court were not a collateral consequence, this court discerns no grounds upon which to reverse the district court’s determination. Appellant provided only his own testimony in support of his contentions about defense counsel’s advice. We defer to the postconviction court’s finding that this testimony was not credible.

We conclude that the record supports the postconviction court’s determination that appellant understood the state’s charges against him, the rights he waived by pleading guilty, and the consequences of pleading guilty. *See Raleigh*, 778 N.W.2d at 96.

Affirmed.