

*This opinion is nonprecedential except as provided by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
A25-0839**

State of Minnesota,
Appellant,

vs.

Dominic Christopher Olson,
Respondent.

**Filed April 27, 2026
Reversed and remanded
Smith, Tracy M., Judge**

Dakota County District Court
File No. 19HA-CR-24-530

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

Kathryn M. Keena, Dakota County Attorney, Kelly Rodgers, Assistant County Attorney,
Hastings, Minnesota (for appellant)

Anders J. Erickson, Johnson Erickson Criminal Defense, Minneapolis, Minnesota (for
respondent)

Considered and decided by Smith, Tracy M., Presiding Judge; Connolly, Judge; and
Wheelock, Judge.

NONPRECEDENTIAL OPINION

SMITH, TRACY M., Judge

Appellant State of Minnesota challenges the district court's order granting
respondent Dominic Christopher Olson's post-verdict motion for a judgment of acquittal
for felony fleeing a peace officer. The state argues that the district court erred by concluding

that the state failed to prove beyond a reasonable doubt that Olson was given a signal to stop by a peace officer. Because the evidence is sufficient to prove that Olson was given a signal to stop, we reverse and remand to the district court for sentencing.

FACTS

A jury found Olson guilty of felony fleeing a peace officer in a motor vehicle in violation of Minnesota Statutes section 609.487, subdivision 3 (2022). The following evidence was presented at trial.¹

Officer Testimony

Farmington Police Officer Hagfors testified to the following. While on patrol in the late afternoon of March 15, 2024, Hagfors was driving his squad car north on a road when he observed two motorcycles approaching him from the opposite direction, traveling south. The lead motorcycle was white, and the trailing motorcycle was blue. Because they appeared to be speeding, Hagfors activated his radar and obtained a reading of 77 miles per hour in the 50-mile-per-hour zone. Hagfors then activated his “red and blue lights without the strobes” and pulled over onto the right shoulder. As the white motorcycle passed Hagfors, Hagfors saw its rider, later determined to be Olson, “look back” at him before accelerating away. Hagfors turned his squad around and drove after the motorcycles. The rider of the blue motorcycle pulled over to the side of the road, and Hagfors conducted

¹ We note that this case was expunged before the appeal period ended. “Expungement” is the removal of evidence of a court file’s existence from publicly accessible records. Minn. Stat. § 484.014, subd. 1(1) (2024). In recognition of the expungement, we limit our description of the evidence to the evidence that is discussed in the parties’ public filings in this appeal, but we have reviewed the publicly inaccessible records to ensure that our recitation of the evidence is accurate.

a traffic stop. During the stop, Olson called the stopped rider and told him that he had crashed in a school parking lot about three quarters of a mile away and needed help. The rider informed Hagfors about the crash, and a second officer responded to the parking lot. Hagfors thereafter also went to the school parking lot. Olson was behind the school in a far back corner of the lot. When Hagfors asked Olson why he fled, Olson said that he did not have a reason for fleeing and claimed that he was pulling over for the officer but then crashed.

The second officer, Officer Hendrickson, testified as follows. Hendrickson heard Hagfors's report and responded to the parking lot. Hendrickson found Olson back behind the school. Olson was out of view from the main road, and he did not wave Hendrickson down when Hendrickson arrived at the parking lot.

Video Evidence

Hagfors's dash-camera video was introduced into evidence. The video shows two motorcycles approaching the squad car from the opposite direction. Hagfors pulls over to the shoulder. The motorcycles pass, and Hagfors turns his squad car around to follow. He activates the car's siren. The lead motorcycle (Olson) disappears from view. The dash-camera video does not capture whether Olson looked back at Hagfors or whether Hagfors turned on his emergency lights.

Both officers' body-worn-camera (BWC) videos were entered into evidence. The BWC videos only show the officers questioning Olson. When Hendrickson asks why he fled, Olson says, "I didn't try to. . . . I was coming over here to stop." When Hagfors asks Olson why he fled, he states, "I don't have a reason." After being arrested, Olson tells

Hagfors, “I wasn’t trying to flee from you. . . . The thought was in my mind, but I had second thoughts and then pulled over.”

Olson’s Testimony

Olson testified in his own defense to the following. As he was speeding down the road, he saw a fully marked police car driving toward him from the opposite direction. They passed each other. He did not see the officer’s lights and did not hear a siren. He did not see his friend pull over, and he tried to turn around when he realized that his friend was not with him at a stop sign.

After the jury found Olson guilty, Olson filed a motion for judgment of acquittal. Following a hearing, the district court granted the motion.

This appeal follows.

DECISION

The state argues that the district court erred by granting Olson’s motion for judgment of acquittal.

Appellate courts review a district court’s decision on a motion for judgment of acquittal de novo. *State v. DeLaCruz*, 884 N.W.2d 878, 890 (Minn. App. 2016). “A motion for judgment of acquittal is properly denied where the evidence, viewed in the light most favorable to the State, is sufficient to sustain a conviction.” *State v. Simion*, 745 N.W.2d 830, 841 (Minn. 2008). In evaluating that question, the reviewing court “assum[es] the jury believed the state’s witnesses and disbelieved any contradictory evidence.” *State v. Parker*, 353 N.W.2d 122, 127 (Minn. 1984).

Olson was found guilty of felony fleeing a peace officer in a motor vehicle. The statute provides that “[w]hoever by means of a motor vehicle flees or attempts to flee a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or reasonably should know the same to be a peace officer, is guilty of a felony.” Minn. Stat. § 609.487, subd. 3. The statute also states that “flee” means to “increase speed, extinguish motor vehicle headlights or taillights, refuse to stop the vehicle, or use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle.” *Id.*, subd. 1 (2022).

In granting Olson’s motion for a judgment of acquittal, the district court ruled that the state failed to prove beyond a reasonable doubt that Officer Hagfors signaled Olson to stop his vehicle. The district court determined that, “[b]y the time Officer Hagfors activated his sirens and pursuit lights—the signal to pull over—[Olson] was nearly out of sight and there was another vehicle between him and Officer Hagfors.” Therefore, it reasoned, the signal “cannot be construed to apply to both motorcycles.” And, without a signal, the district court concluded, Olson did not “flee” under the statute. Accordingly, the issue before us is whether the district court erred in determining that the evidence was insufficient for the jury to conclude that Olson was given a signal.

As an initial matter, we address the standard of review. Both parties apply the heightened circumstantial-evidence standard in their briefs. Generally, when a conviction relies on circumstantial evidence, the circumstantial-evidence standard of review applies. *State v. Al-Naseer*, 788 N.W.2d 469, 474 (Minn. 2010). Olson argues that the only evidence supporting the giving of the signal was circumstantial. We disagree; some of the state’s

evidence was direct, including Officer Hagfors’s testimony that he pulled his squad car to the shoulder as the speeding motorcycles approached, activated the squad-car emergency lights, and followed the motorcycles with his siren on. But we need not determine whether the direct evidence alone is sufficient to prove that a signal was given if the evidence satisfies the heightened circumstantial-evidence standard.² We therefore apply that standard.

The circumstantial-evidence standard has two steps. *Firkus*, 31 N.W.3d at 478. First, the reviewing court identifies the circumstances proved by “winnow[ing] down the evidence presented at trial by resolving all questions of fact in favor of the jury’s verdict.” *Id.* (quoting *State v. Harris*, 895 N.W.2d 592, 600 (Minn. 2017)). Second, the court considers “whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, ‘are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.’” *Id.* (quoting *State v. Smith*, 9 N.W.3d 543, 565 (Minn. 2024)) (other quotation omitted). At the second step, no deference is given to the factfinder. *Id.* at *9.

Beginning with the first step, the circumstances proved here are the following:

- Olson and his friend were driving their motorcycles above the speed limit.

² We note that the district court applied the direct-evidence standard of review in evaluating Olson’s post-verdict motion for a judgment of acquittal. In *State v. Firkus*, the supreme court held that a district court should apply the direct-evidence standard of review when considering a motion for judgment of acquittal that is made *before* the verdict is returned, even if the evidence is circumstantial. 31 N.W.3d 468, 493 (Minn. 2026). But the supreme court noted that “applying the [circumstantial-evidence] standard to a post-verdict motion after briefing may be reasonable.” *Id.* at 493 n.20. However, it did not decide the issue since it was unnecessary to resolve that case. *Id.*

- Officer Hagfors saw the motorcycles and confirmed with radar that they were speeding.
- Olson saw Hagfors's marked squad car driving in the opposite direction toward him.
- Hagfors activated his emergency lights and pulled over onto the right shoulder.
- Olson and his friend passed Hagfors.
- As Hagfors was turning around to follow the motorcycles, he saw Olson look back at him and then look forward and accelerate.
- After completing his U-turn, Hagfors began following the motorcycles and activated his siren.³
- Olson disappeared around the bend.
- Olson's friend pulled over.
- Olson continued driving for three-quarters of a mile and crashed when trying to turn around behind a school.
- Officers found Olson behind the school and out of view from the main road.
- Olson told officers that he "was coming over here to stop."
- When asked why he fled, Olson said, "I don't have a reason."

³ The district court found that Officer Hagfors activated the lights and the siren simultaneously after he made the U-turn, which was after Olson passed him on the road. But Hagfors testified that he activated his lights *before* Olson passed him. The district court's finding fails to view the evidence in the light favorable to the jury's verdict. *See Firkus*, 31 N.W.3d at 478 (affirming that, in determining circumstances proved, courts must "resolv[e] all questions of fact in favor of the jury's verdict") (quotation omitted).

- After he was arrested, Olson said, “I wasn’t trying to flee from you. . . . The thought was in my mind, but I had second thoughts and then pulled over.”

Turning to the second step, we must examine whether these circumstances proved are consistent with guilt and inconsistent with any rational hypothesis other than guilt. *See id.* In so doing, we must review the circumstances as a whole and cannot “analyze and parse each fact in a piecemeal fashion to conclude that a hypothesis is reasonable.” *State v. Lehman*, 3 N.W.3d 875, 878-79 (Minn. 2024) (quotations omitted).

Here, the circumstances proved are consistent with guilt. Olson and his friend were speeding as they approached a marked police car. It is reasonable to infer that Olson saw that Hagfors had activated his squad car lights and pulled to the side of the road because Olson looked back at Hagfors as Olson passed him. In addition, Olson accelerated, did not stop when Hagfors turned around to follow them and activated the siren, and tried to hide in the school parking lot, claiming that he was trying to pull over. These circumstances are consistent with a peace officer giving a signal to Olson to stop.

Olson argues that the circumstances proved are not consistent with Hagfors giving him a signal to stop because Hagfors was driving in the opposite direction and, after he made a U-turn, was behind the second motorcycle—thus, the activated lights could only be a signal to Olson’s friend, not to Olson.⁴ But Olson cites no caselaw limiting a signal to the closest vehicle, vehicles traveling in the same direction, or vehicles directly in front of the officer. While many cases undoubtedly do involve an officer signaling while directly

⁴ The district court adopted this reasoning in its order.

behind the defendant, Olson points to none that establish this as an affirmative requirement for a signal under the fleeing statute. And such a requirement would not be consistent with other caselaw that recognizes the broad significance of emergency lights and sirens in other contexts. *See State v. Bergerson*, 659 N.W.2d 791, 795 (Minn. App. 2003) (discussing in the context of a seizure the inclination for drivers to pull over “until the officer makes it clear that either the driver is not the target of interest or the driver’s encounter with the police has come to a conclusion”); *Travis v. Collett*, 17 N.W.2d 68, 73 (Minn. 1944) (discussing an earlier version of Minnesota Statutes section 169.20, subdivision 5(a) (2022), which requires nearby vehicles to yield and pull over when a vehicle turns on emergency lights). Olson points to no authority for the proposition that a signal can only apply to the closest vehicle directly in front of the officer, especially when there are two drivers traveling together and both are violating the traffic law.

Olson also argues that, even if the circumstances proved are consistent with guilt, they are also consistent with the alternative reasonable theory that Hagfors signaled to the friend to stop and not to Olson. But this theory is not reasonable. The squad car lights were activated when Olson was speeding past the squad car, and Olson accelerated after turning back and looking at Hagfors. There is no reasonable explanation for Olson’s conduct of accelerating away from the officer, going behind the school in the parking lot, and then telling officers he “pulled over” into the parking lot other than that he was given a signal to stop. Viewing the circumstances proved as a whole, it is not reasonable to conclude that Hagfors signaled only the driver of the other motorcycle.

Because the circumstances proved are consistent with Olson being given a signal to stop and inconsistent with any other reasonable hypothesis, the district court erred by granting the motion for judgment of acquittal. Accordingly, we reverse and remand for sentencing.

Reversed and remanded.