This opinion is nonprecedential except as provided by Minn.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
A25-0887

Paul Scott Seeman, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

Filed December 22, 2025
Affirmed
Connolly, Judge

Steele County District Court
File No. 74-CR-21-1304

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

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

Robert J. Jarrett, Steele County Attorney, Owatonna, Minnesota (for respondent)

Considered and decided by Larson, Presiding Judge; Connolly, Judge; and Bond, Judge.

NONPRECEDENTIAL OPINION

CONNOLLY, Judge

Appellant challenges the district court's summary denial of his petition for postconviction relief, arguing that the district court violated his right to meaningful postconviction review by failing to re-examine the law and facts. Appellant also contends that the district court erred by awarding restitution to the victim's employer who voluntarily made payments to the victim for his injuries arising from appellant's conduct. We affirm.

FACTS

Respondent State of Minnesota charged appellant Paul Scott Seeman by amended complaint with misdemeanor fifth-degree assault. The complaint alleged that, in August 2021, appellant confronted an individual (hereinafter "fair worker") who was directing traffic at the Steele County fair (hereinafter "the fair"). The complaint also alleged that, during the confrontation, appellant injured the fair worker when he "headbutted" the fair worker in the nose.

The fair paid the fair worker's medical bills and then filed an affidavit seeking restitution for his out-of-pocket medical bills paid by the fair. Appellant subsequently pleaded guilty to the charged offense. The signed plea petition set forth the terms of the plea agreement and left "[r]estitution open." The district court then sentenced appellant in accordance with the plea agreement, and ordered that appellant pay restitution to the fair in the amount of $1,957.18.

Appellant objected to the restitution order on the grounds that the fair "is not a victim." A contested hearing was then held at which a fair manager testified that the injured fair worker was a volunteer director. According to the fair manager, the fair worker "turned in" to the fair board the portion of his medical bills that were not covered by insurance. Although the fair manager acknowledged that the fair carries liability insurance, he testified that the amount submitted by the fair worker was less than the fair's policy deductible. The fair manager further testified that the fair board "approved" payment of the fair worker's medical bills, despite the fact that, in his "mind," the fair board had no "legal obligation" to pay the bill.

The district court found that, "[h]aving paid" the fair worker's out-of-pocket medical expenses resulting from appellant's assault, the fair "stands in [the fair worker's] shoes, and is therefore entitled to seek restitution under Minnesota law." Thus, the district court "upheld" the "award of restitution pronounced at sentencing."

Appellant moved for postconviction relief, arguing that the district court erred in ordering him to pay restitution to the fair because the fair "does not qualify as a victim" of the assault and the fair "does not have a subrogation right to restitution." The district court summarily denied the petition, finding that it is undisputed that the fair paid the fair worker's out-of-pocket medical expenses after appellant assaulted the fair worker while he "was working" for the fair. The district court then determined that appellant's argument is based on "the same theory articulated by" appellant at the restitution hearing. The district court further determined that "[t]his theory was litigated at the restitution hearing," and appellant "brings forward no new facts nor cites any subsequent changes in the law." Thus, the district court concluded that "no hearing is warranted." This appeal follows.

DECISION

This court reviews a district court's decision to deny a petition for postconviction relief for an abuse of discretion. *Riley v. State*, 819 N.W.2d 162, 167 (Minn. 2012). The district court will not be reversed unless it 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." *Brown v. State*, 863 N.W.2d 781, 786 (Minn. 2015) (quotation omitted). A postconviction petition may be summarily denied if "the petition and the files and records of the proceedings conclusively show that the petitioner is entitled to no relief." Minn. Stat. § 590.04, subd. 1 (2024).

Appellant challenges the district court's summary denial of his postconviction petition, arguing that (A) the district court "violated [his] right to meaningful postconviction review" and (B) the fair "was not entitled to restitution for voluntary payments made to the victim." We address these arguments in turn.

A. Appellant was not denied meaningful postconviction review.

In Minnesota, "a convicted defendant is entitled to at least one right of review by an appellate or postconviction court." *Deegan v. State*, 711 N.W.2d 89, 93 (Minn. 2006) (quotation omitted). "'[R]eview' means . . . the opportunity to *reexamine* the case . . . ." *State v. Eason*, 906 N.W.2d 840, 842 (Minn. 2018).

Appellant argues that the direct court violated his "right to review" by failing to "re-examine the law or facts," and instead "applied something akin to the law of the case doctrine" by "treat[ing] its prior order as binding." But nowhere does the district court's order state that its prior order was binding. Rather, the district court found that the theory raised by appellant in his postconviction petition was the same "theory litigated at the restitution hearing"; appellant "brings forward no new facts nor cites any subsequent changes to the law." The district court then implicitly determined that appellant's postconviction petition fails for the same reasons articulated in the prior restitution order. Although the district court did not provide a detailed analysis explaining why—consistent with the prior restitution order—appellant's argument fails, the order denying appellant's postconviction petition demonstrates that the court reviewed its prior order.

Appellant also contends that "the district court made factual errors that provide . . . grounds for reversal," such as finding that the fair worker was the fair's "employee," and that appellant's argument is that the county taxpayers should bear the costs of the fair worker's injuries rather than appellant. We disagree. The district court did not find that the fair worker was an "employee" or "employed" by the fair. Rather, the district court found that the fair worker was "working" for the fair. This finding is supported by the fair manager's testimony that the fair worker was "one of [the fair's] directors" who was voluntarily working for the fair at the time of the assault. Moreover, although there does not appear to be any record support for the district court's finding related to the county taxpayers bearing the costs of the fair worker's injuries, appellant fails to show how any error related to this factual finding impacted the decision. The record reflects that the district court re-examined the arguments made in appellant's postconviction petition and determined that they did not provide a basis to reverse. Accordingly, appellant has not shown that he was denied his right to meaningful postconviction review.

B. The fair was entitled to restitution.

"[A]s part of a sentence for a felony, gross misdemeanor, or misdemeanor conviction, the district court may sentence the defendant to payment of court-ordered restitution." *State v. Cotton*, 13 N.W.3d 412, 417 (Minn. 2024). To determine "whether to order restitution" and "the amount of the restitution," a district court must consider "the amount of economic loss sustained by the victim as a result of the offense." Minn. Stat.

§ 611A.045, subd. 1(a) (2024). "A request for restitution may include, but is not limited to, any out-of-pocket losses resulting from the crime." Minn. Stat. § 611A.04, subd. 1(a) (2024). District courts "may order restitution only for losses that are directly caused by, or follow naturally as a consequence of, the defendant's crime." *State v. Boettcher*, 931 N.W.2d 376, 381 (Minn. 2019).

"The primary purpose of restitution is to restore crime victims to the same financial position they were in before the crime." *Cotton*, 13 N.W.3d at 417 (quotations omitted). The definition of "victim" in the restitution statute includes a "corporation" or "government entity" that "incurs loss or harm as a result of a crime." Minn. Stat. § 611A.01(b) (2024). Caselaw recognizes a subrogation right of restitution for corporate entities that compensate victims of a crime for their losses directly caused by the criminal offense. *See, e.g.*, *Cotton*, 13 N.W.3d at 419 (acknowledging that, under the restitution statute, the Minnesota Crime Victims Reparations Board "may request restitution on behalf of a victim, which may be considered to be both on its own behalf and on behalf of the victim" (quotations omitted)); *see also State v. Beganovic*, 974 N.W.2d 278, 287 (Minn. App. 2022) (affirming district court's restitution award to insurance company), *aff'd on other grounds*, 991 N.W.2d 638 (Minn. 2023); *State v. Jola*, 409 N.W.2d 17, 19 (Minn. App. 1987) (upholding a restitution award to an insurance company that reimbursed a victim for losses).

Here, the record reflects that the fair is a 501(3)(c) nonprofit corporation, and appellant does not dispute that the fair is a corporation for purposes of the restitution statute. But appellant argues that, because his assault did not "directly injure" the fair, the fair "does not qualify as a victim on the ground of being a corporation that suffered a harm as a direct and natural consequence of [appellant's] offense." And appellant contends that the fair "does not have a subrogation right to restitution" because the fair was not the fair worker's "insurer" and had no "legal obligation" to compensate the fair worker. Thus, appellant argues that the fair "was not entitled to restitution for *voluntary* payments" it made to the fair worker. (Emphasis added.)

Appellant's argument is unavailing. Although appellant supports his argument with insurance caselaw related to subrogation, this caselaw is unrelated to the restitution statute. And our review of the plain language of the restitution statutes reveals nothing to support appellant's position. Rather, the restitution statutes state that "[a] victim of a crime has the right to receive restitution as part of the disposition of a criminal charge . . . against the offender if the offender is convicted." Minn. Stat. § 611A.04, subd. 1(a). As noted above, the restitution statutes define a "victim" to include a "corporation" or "government entity" that "incurs loss or harm as a result of a crime." Minn. Stat. § 611A.01(b). There is nothing in these statutes indicating that, for restitution to be awarded, the corporation or government entity must be legally *obligated* or *required* to reimburse a crime victim. *See id.* Instead, the statutes leave open the possibility that restitution may be awarded to a corporation or government entity that *voluntarily* reimburses a crime victim for the loss or harm resulting from a crime. *See id.*

Moreover, this plain reading of these statutes is supported by *State v. Keehn*, 554 N.W.2d 405 (Minn. App. 1996), *rev. denied* (Minn. Dec. 17, 1996). In that case, the defendant was ordered to pay restitution to the Department of Human Services (DHS) for psychological services and counseling DHS provided to the victim's son, who observed the defendant assaulting his mother. *Keehn*, 554 N.W.2d at 406-07. On appeal, the defendant challenged the restitution award, arguing that DHS did not qualify "as a 'victim' for purposes of restitution." *Id.* at 408. This court disagreed, stating that, when DHS "provided psychological services and counseling to [the victim's son], it incurred expenses directly on behalf of a crime victim. [DHS] incurred these expenses because [the victim] did not have the financial resources to acquire the needed services at her own expense." *Id.* This court then noted that, although "a differently situated victim may have had insurance that would have covered expenses," the government "was acting, through [DHS], as the victim's insurer." *Id.* at 409. After acknowledging that "[i]nsurers have been recognized as appropriate recipients of restitution," the court held that, when the government "incurs expenses on behalf of crime victims which under other circumstances would be paid for by the victims themselves, the [government] is acting as an insurer of those victims and is itself a victim for purposes of restitution." *Id.*

Like the fair in this case, there is no indication in *Keehn* that DHS was required or legally obligated to make payments under the Medical Assistance Program on behalf of the victim's son. In other words, just as the fair voluntarily reimbursed its volunteer employee for his out-of-pocket expenses resulting from appellant's offense that were not covered by insurance, DHS voluntarily provided services to the victim's son because the victim did not have the financial resources to acquire the needed services at her own expense. *See id.* Because *Keehn* indicates that a corporate entity may be entitled to restitution for payments made to the victim of a criminal offense absent a legal obligation to make such payments, the fair was not prohibited from being awarded restitution. The fair incurred $1,957.18 in expenses because it reimbursed the fair worker for the amount he incurred as a result of appellant's offense that was not covered by insurance. Although a differently situated victim may have had sufficiently adequate insurance that would have covered his expenses, the fair essentially acted as the fair worker's insurer by paying the fair worker's out-of-pocket expenses. Thus, we conclude that, under *Keehn*, and the plain language of the restitution statutes, the district court did not abuse its discretion in summarily denying appellant's petition for postconviction relief.

Affirmed.