

*This opinion is nonprecedential except as provided by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
A25-1045**

Donald Dequai Crenshaw, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed July 20, 2026
Affirmed; motion denied
Beane, Judge**

Becker County District Court
File No. 03-CR-21-2245

Donald Crenshaw, Lino Lakes, Minnesota (pro se appellant)

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

Brian W. McDonald, Becker County Attorney, Detroit Lakes, Minnesota (for respondent)

Considered and decided by Smith, Tracy M., Presiding Judge; Schmidt, Judge; and
Beane, Judge.

NONPRECEDENTIAL OPINION

BEANE, Judge

Appellant Donald Dequai Crenshaw filed a postconviction petition challenging his conviction of conspiracy to commit aggravated first-degree controlled-substance possession. The district court denied relief without holding an evidentiary hearing based

on the conclusion that his arguments are procedurally barred or fail on the merits. Crenshaw challenges the district court's denial of postconviction relief, reiterating some of the arguments from his postconviction petition and advancing several new arguments. Because we discern no abuse of discretion, we affirm.

FACTS

In the early morning hours of November 18, 2021, after tracking a cell phone associated with Crenshaw, police stopped a vehicle driven by C.H. in which Crenshaw was a passenger. Police obtained a warrant and searched the vehicle. During the search, officers found 219 grams of methamphetamine in the trunk. Respondent State of Minnesota charged both Crenshaw and C.H. with aggravated first-degree controlled-substance possession and first-degree controlled-substance possession. The state later amended the complaint against Crenshaw to charge him with conspiracy to commit those crimes. After a jury trial, at which C.H. testified, Crenshaw was convicted of conspiracy to commit aggravated first-degree controlled-substance possession.

Crenshaw appealed. Through counsel, he argued that the testimony of C.H., his accomplice, was not sufficiently corroborated and that the state failed to prove a requisite aggravating factor. He also advanced various arguments in a pro se supplemental brief, including (1) the district court erred by admitting evidence obtained from the traffic stop because police lacked a valid basis for the stop; (2) the district court erred in its jury instructions; (3) trial counsel was ineffective for failing to request a judgment of acquittal at the end of the state's case in chief; and (4) trial counsel was ineffective for failing to investigate and obtain certain evidence and call certain witnesses at trial. We affirmed,

rejecting Crenshaw’s counseled arguments and concluding that his pro se arguments “are without merit or forfeited,” except to note that his ineffective-assistance argument regarding counsel’s investigation could not be reviewed and could be pursued in a petition for postconviction relief. *State v. Crenshaw*, No. A23-0246, 2024 WL 163401, at *4-7 & n.2 (Minn. App. Jan. 16, 2024), *rev. denied* (Minn. Mar. 27, 2024).

In April 2025, Crenshaw filed a petition for postconviction relief. The petition appeared to assert six issues: (1) the state did not sufficiently corroborate the trial testimony of his accomplice; (2) the state failed to prove a required aggravating factor; (3) the district court erred by denying his pretrial challenge to the search warrant and request for disclosure of the identity of a confidential informant; (4) trial counsel was ineffective for “lack of discovery,” failure to move for a judgment of acquittal, not presenting an alibi witness, and not having C.H.’s cell phone examined; (5) the district court improperly instructed the jury; and (6) the state coerced a confession from C.H. The district court denied Crenshaw’s postconviction petition without a hearing, reasoning that his claims of ineffective assistance and a coerced confession fail on the merits and all his other claims are procedurally barred because they were raised in his direct appeal.

Crenshaw appeals.¹

¹ The state did not file a brief, but we consider the appeal on its merits under Minn. R. Civ. App. P. 142.03. After briefing, Crenshaw filed a motion asking to have certain evidence “added to the record.” The record on appeal consists of the documents filed in the district court, the exhibits, and the transcript of proceedings. Minn. R. Civ. App. P. 110.01. We may correct the record on appeal if materials were omitted by error or accident. Minn. R. Civ. App. P. 110.05. But we “may not base [our] decision on matters outside the record on appeal, and may not consider matters not produced and received in evidence below.” *Thiele v. Stich*, 425 N.W.2d 580, 582-83 (Minn. 1988). Because Crenshaw has not shown that the

DECISION

When a person convicted of a crime seeks postconviction relief, the district court must conduct an evidentiary hearing “[u]nless the petition and the files and records of the proceeding conclusively show that the petitioner is entitled to no relief.” Minn. Stat. § 590.04, subd. 1 (2024). We review the denial of a petition for postconviction relief without an evidentiary hearing for an abuse of discretion. *Chavez-Nelson v. State*, 948 N.W.2d 665, 671 (Minn. 2020). “A postconviction 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.” *Brown v. State*, 895 N.W.2d 612, 617 (Minn. 2017) (quotation omitted). A district court may summarily deny a postconviction claim that is procedurally barred because it was or could have been presented on direct appeal. *Chavez-Nelson*, 948 N.W.2d at 671, 673 (citing *State v. Knaffla*, 243 N.W.2d 737, 741 (Minn. 1976)); *see also* Minn. Stat. § 590.01, subd. 1 (2024) (stating that postconviction petition after direct appeal “may not be based on grounds that could have been raised on direct appeal of the conviction or sentence”).

Crenshaw presents two categories of arguments on appeal.² The first category consists of those arguments that Crenshaw presents for the first time in this appeal.

evidence he asks us to consider was omitted from the record by error or accident, we deny the motion and decline to consider the additional material.

² We do not address those arguments in Crenshaw’s postconviction petition that the district court rejected and Crenshaw does not raise on appeal. This includes all the arguments that the district court denied as procedurally barred, as well as Crenshaw’s argument that the state coerced a confession from C.H., which the district court denied on the merits. Despite a single passing reference to *Knaffla* and a few references to C.H. lying or being unreliable,

Principal among these are Crenshaw's numerous claims that he received ineffective assistance from his appellate counsel. But Crenshaw also references judicial bias without explanation and suggests the prosecutor committed misconduct by presenting the biased testimony of C.H. and not presenting DNA or fingerprint evidence connecting Crenshaw to the methamphetamine. Because Crenshaw merely references judicial bias and prosecutorial misconduct but provides no legal argument or citation to relevant authority, he has forfeited appellate review of those issues. *See Taylor*, 910 N.W.2d at 37 n.4. Furthermore, the district court did not construe Crenshaw's petition as presenting any claims of ineffective assistance of appellate counsel, judicial bias, or prosecutorial misconduct. Crenshaw does not assert that the district court erred by not addressing them, and he does not otherwise contend that he raised these issues to the district court. A party may not raise an issue for the first time on appeal from denial of postconviction relief. *Steward v. State*, 950 N.W.2d 750, 756 (Minn. 2020). Consequently, these arguments are not properly before us on appeal.

The second category is those arguments concerning ineffective assistance of trial counsel that the district court rejected on the merits. Crenshaw does not directly address the district court's reasoning on these claims. Instead, he reiterates the arguments that he made to the district court that trial counsel was ineffective for (1) lack of discovery, (2) failure to move for a judgment of acquittal, (3) not presenting an alibi witness, and

Crenshaw does not challenge the district court's decision to deny relief on these issues. Crenshaw has therefore forfeited appellate review of them. *See Taylor v. State*, 910 N.W.2d 35, 37 n.4 (Minn. 2018).

(4) not having C.H.’s cell phone examined. As for the acquittal-motion argument, we denied that argument on the merits after Crenshaw presented it in his direct appeal. *See Crenshaw*, 2024 WL 163401, at *7. Crenshaw is therefore barred by *Knaffla* and the “law of the case” doctrine from raising the acquittal-motion issue again in a postconviction petition. *Lynch v. State*, 749 N.W.2d 318, 321 (Minn. 2008); *see also* Minn. Stat. § 590.04, subd. 3 (2024) (stating that a court may summarily deny a petition raising issues previously decided on appeal in the same case). As for Crenshaw’s other ineffective-assistance arguments, we address them in turn.

A defendant is entitled to an evidentiary hearing on a claim of ineffective assistance of counsel only if they allege facts that, if proved, would show that (1) counsel’s performance was objectively unreasonable, and (2) but for counsel’s errors, the result would have been different. *Chavez-Nelson*, 948 N.W.2d at 671 (citing *Strickland v. Washington*, 466 U.S. 668, 687 (1984)). Appellate courts “presume that trial counsel’s performance was reasonable and . . . give particular deference to trial strategy.” *Berry v. State*, 33 N.W.3d 683, 699 (Minn. 2026) (quotation omitted). In fact, we generally “will not review an ineffective-assistance-of-counsel claim when the attorney’s conduct in question is based on trial strategy,” which includes “the extent of counsel’s investigation and the selection of evidence presented to the jury.” *Chavez-Nelson*, 948 N.W.2d at 671. We review the merits of an ineffective-assistance-of-counsel claim de novo. *Berry*, 33 N.W.3d at 693.

Regarding Crenshaw’s discovery argument, the district court noted that trial counsel actively represented Crenshaw, including seeking discovery of evidence, so the record

believes the claim that counsel was ineffective for “lack of discovery.” On appeal, Crenshaw again references “lack of discovery” but merely suggests that the state failed to disclose unspecified evidence and says that he personally did not receive unspecified discovery. He does not identify any error in the district court’s reasoning or otherwise point to facts that, if proved, would show that counsel’s performance regarding discovery was objectively unreasonable.

Regarding Crenshaw’s alibi-witness and cell-phone arguments, the district court reasoned that the decisions as to whether to present alibi witnesses and whether to have C.H.’s cell phone examined were matters of trial strategy that are generally not subject to review for competence. We agree. The district court also noted that Crenshaw’s claimed alibi was inconsistent with the trial evidence and that C.H. testified and was subject to cross-examination, including questioning about his cell-phone records. The district court explained that those facts support the reasonableness of trial counsel’s strategic decisions not to call an alibi witness or examine C.H.’s cell phone. Crenshaw does not dispute any aspect of this reasoning or otherwise point to facts alleged in his petition that, if proved, would show that counsel’s decisions not to call an alibi witness or have C.H.’s cell phone examined were objectively unreasonable.

Because the claims that are properly before us in this appeal are procedurally barred or would not entitle Crenshaw to relief even if he proved the facts asserted in his postconviction petition, we conclude that the district court did not abuse its discretion by denying Crenshaw’s petition without an evidentiary hearing.

Affirmed; motion denied.