

*This opinion is nonprecedential except as provided by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
A25-1210**

Troy K. Scheffler,
Appellant,

vs.

Bob Jacobson,
as Commissioner of Minn Dept of Public Safety, et al.,
Respondents.

**Filed April 13, 2026
Affirmed
Reyes, Judge**

Ramsey County District Court
File No. 62-CV-24-7889

Troy K. Scheffler, Merrifield, Minnesota (self-represented appellant)

Keith Ellison, Attorney General, Madeleine DeMeules, Assistant Attorney General,
St. Paul, Minnesota (for respondents)

Considered and decided by Reyes, Presiding Judge; Harris, Judge; and Bond, Judge.

NONPRECEDENTIAL OPINION

REYES, Judge

Appellant challenges the dismissal of his constitutional claims, asserting that the district court abused its discretion by (1) granting respondents' motion to dismiss his original complaint after he filed an amended complaint as of right under Minn. R. Civ. P. 15.01 and (2) awarding costs to respondents. We affirm.

FACTS

Appellant Troy K. Scheffler filed a lawsuit against the State of Minnesota, Bob Jacobson in his official capacity as Commissioner of the Minnesota Department of Public Safety, Timothy Walz in his official capacity as Governor of the State of Minnesota, Tamar Gronvall in her official capacity as Commissioner of the Minnesota Department of Administration, and John Doe in their individual and official capacity (collectively “respondents”), alleging that they infringed upon his freedom of conscience and free exercise of religion. Scheffler claimed that respondents “establish[ed] a State religion” of Satanism by permitting placement of a “Satanic altar” in the Minnesota State Capitol building. Scheffler simultaneously requested injunctive relief via a court order requiring the state to remove the altar pending the outcome of his lawsuit. The district court denied Scheffler’s request for injunctive relief.

Respondents then filed a motion to dismiss Scheffler’s complaint for failure to state a claim upon which relief could be granted pursuant to Minnesota Rule of Civil Procedure 12.02(e) (the first motion). On January 3, 2025, respondents served the first motion upon Scheffler by mail. On February 27, 2025, Scheffler filed and served an amended complaint in lieu of filing an answer to respondents’ first motion. The parties also filed competing motions to stay and compel discovery.

On March 4, 2025, the district court held a hearing to address the first motion, respondents’ motion to stay discovery pending the outcome of the first motion, and Scheffler’s motion to compel discovery. At the hearing, respondents consented to having the amended complaint considered for purposes of their first motion “to preserve judicial

resources.” Scheffler objected to the district court hearing the first motion. The district court noted the objection but allowed arguments on the first motion. After hearing arguments on all three motions, the district court granted respondents’ motion to stay discovery until it decided the first motion and the motion to compel discovery, both of which it took under advisement.

On March 11, 2025, respondents filed and served a written motion to dismiss the amended complaint (the second motion), summarizing the March 4 hearing and their consent for the district court to consider Scheffler’s amended complaint when deciding the first motion. On June 2, 2025, the district court issued an order dismissing Scheffler’s amended complaint.

This appeal follows.

DECISION

Scheffler argues that the district court abused its discretion by (1) hearing oral arguments on respondents’ first motion after he filed an amended complaint and (2) awarding costs to respondents.¹ We address each argument in turn.

I. The district court did not abuse its discretion by hearing oral arguments on respondents’ first motion after Scheffler filed an amended complaint.

Scheffler argues that the district court abused its discretion by relaxing Minnesota General Rule of Practice 115.03(a) in a way that prejudiced him by proceeding on respondent’s first motion after he had submitted an amended complaint. Specifically,

¹ Appellant also argues that the district court discriminated against him as a self-represented litigant. But because this argument merely restates his previous arguments, we do not address this issue separately.

Scheffler claims that he (1) had no meaningful notice and was unprepared to defend against the first motion because he had not read it and it addressed his now-mooted complaint;² (2) had no meaningful opportunity to brief the issues or respond orally to the second motion because respondents did not file it until after the motion hearing; and (3) lacked knowledge of the proper procedures as a self-represented litigant. We are not persuaded.

“Enforcement of local rules is left to the discretion of the district court.” *Hopkins by LaFontaine v. Empire Fire & Marine Ins. Co.*, 474 N.W.2d 209, 212 (Minn. App. 1991). To determine whether a district court abused its discretion, appellate courts consider whether there is “prejudice to the parties.” *Brault v. Acceptance Indem. Ins. Co.*, 538 N.W.2d 144, 149 (Minn. App. 1995), *rev. denied* (Minn. Nov. 21, 1995). “[P]rejudice is a question of fundamental fairness,” that “may be demonstrated by lack of notice, procedural irregularities, or lack of a meaningful opportunity to respond to the motion.” *Bradley v. First Nat’l. Bank of Walker, N.A.*, 711 N.W.2d 121, 128 (Minn. App. 2006).

Minnesota General Rule of Practice 115.03(a) states that “[n]o motion shall be heard until the moving party” serves the notice of motion and motion, proposed order, any affidavits or exhibits, and memorandum of law “on all opposing counsel and self-represented litigants and files the documents with the court administrator at least 28 days before the hearing.” However, a district court may “relax[] or modif[y]” the General Rules of Practice “in any case, or [relieve a party] from the effect thereof on such terms as may

² The parties agree that “filing an amended complaint moots a motion to dismiss the original complaint.”

be just.” Minn. Stat. § 484.33 (2024); *see also* Minn. Gen. R. Prac. 115.07 (district court may “waive or modify” time limits if “interests of justice otherwise require.”).

We have previously addressed the question of whether it was proper to hear arguments on an oral dispositive motion. For example, in *Bradley*, we concluded that the district court properly allowed the respondent’s statute-of-limitations defense because the parties had already “aggressively disputed” the underlying issue and, the appellant was not prejudiced “in the sense that she was treated fundamentally unfairly.” 711 N.W.2d at 123; *see also Zirnhelt v. Carter*, 843 N.W.2d 270, 273 (Minn. App. 2014) (concluding that, because “district court gave both sides a full opportunity to brief the statute-of-limitations issue,” appellant was not prejudiced by district court’s consideration of issue raised for first time at trial). *But see Rhee v. Golden Home Builders, Inc.*, 617 N.W.2d 618, 620 (Minn. App. 2000) (concluding that plaintiffs were “unfairly prejudiced” by district court’s “failure to enforce” rules when plaintiffs had no notice of motion prior to hearing).

Here, the district court relaxed the process outlined in Minnesota General Rule of Practice 115.03(a) by allowing the amended complaint to serve as the operative complaint when hearing arguments on respondents’ first motion, so we must determine whether Scheffler was prejudiced by a lack of notice or an opportunity to respond, resulting in fundamental unfairness to him.

First, respondents served Scheffler with their first motion on January 3, 2025, two months before the March 4 hearing, giving Scheffler meaningful notice and ample time to read the first motion and prepare an oral argument, a written response, or both. In claiming that he was denied notice and an opportunity to respond, Scheffler relies on *Sharkey v. City*

of *Shoreview*, in which we concluded that the appellant had “an absolute right to amend his complaint one time as a matter of course” prior to a responsive pleading. 853 N.W.2d 832, 836 (Minn. App. 2014); *see also* Minn. R. Civ. P. 15.01. It is clear from the record that the district court allowed Scheffler to amend his complaint as required under *Sharkey*. Scheffler’s arguments regarding the district court’s decision to hear oral arguments on respondents’ first motion are not implicated by *Sharkey*.

Second, after the hearing, respondents served the second motion upon Scheffler on March 11, 2025. This second motion did not introduce any new arguments but confirmed that respondents had consented at the hearing to having Scheffler’s amended complaint considered for the purposes of their first motion. The district court did not issue its decision until June 2, 2025, giving Scheffler over two months to respond in writing to respondents’ second motion, had he chosen to do so. Furthermore, because the second motion did not contain any changes to respondents’ arguments, even if the district court had held a separate motion hearing to address respondents’ second motion, Scheffler’s arguments should not have substantively changed from what he argued at the March 4 hearing.

As to Scheffler’s third claim that he did not know which filing mechanism to use, which deadline applied to the filings, whether the district court would accept them, and which motion the filing could have addressed, we are not persuaded. Throughout the proceedings at the district court and in his briefing on appeal, Scheffler demonstrated a knowledge of district-court rules and procedures.

Under these circumstances, we conclude that the district court did not abuse its discretion by using the amended complaint as the operative complaint when hearing

respondents' first motion because doing so did not prejudice Scheffler or result in any fundamental unfairness.

II. The district court did not abuse its discretion by awarding statutory costs and fees for motions filed by respondents.

Scheffler claims that the district court inappropriately awarded (1) \$200 in statutory costs pursuant to Minnesota Statutes section 549.02, subdivision 1, and (2) \$225 to reimburse motion-filing fees for respondents' three motions pursuant to Minnesota Rule of Civil Procedure 54.04. Scheffler's claims are unavailing.

We review a district court's grant of statutory costs to a prevailing party for an abuse of discretion. *Capacity Wireless, LLC v. Bd. of Regents of Univ. of Minn.*, 978 N.W.2d 275, 279-80 (Minn. App. 2022), *rev. denied* (Minn. Oct. 18, 2022). "The district court has discretion to determine not only the amount of an award of costs and disbursements, but also who the prevailing party is for purposes of such an award." *Staffing Specifix, Inc. v. TempWorks Mgmt. Servs., Inc.*, 896 N.W.2d 115, 127 (Minn. App. 2017), *aff'd*, 913 N.W.2d 687 (Minn. 2018) (quotation omitted). "The district court abuses its discretion when its decision is against logic and facts on the record." *Id.* (quotation omitted).

"In every action in a district court, the prevailing party . . . shall be allowed reasonable disbursements paid or incurred." Minn. Stat. § 549.04 (2024); *see also Lake Superior Ctr. Auth. v. Hammel, Green & Abrahamson, Inc.*, 715 N.W.2d 458, 482 (Minn. App. 2006), *rev. denied* (Minn. Aug. 23, 2006). The district court shall allow an amount of \$200 to the defendant upon "dismissal or when judgment is rendered in the defendant's favor on the merits." Minn. Stat. § 549.02 (2024). Furthermore, a judge or court

administrator “may tax any costs and disbursements allowed by law” after “all parties have been allowed an opportunity to file applications and to object to the application of any other party.” Minn. R. Civ. P. 54.04.

A. Statutory Costs

Scheffler first argues that the district court improperly granted statutory costs based on a “void” proceeding.

“A judgment is void if the issuing court lacked jurisdiction over the subject matter, lacked personal jurisdiction over the parties . . . , or acted in a manner inconsistent with due process.” *Bode v. Minn. Dept. of Nat. Res.*, 594 N.W.2d 257, 258 (Minn. App. 1999), *aff’d*, 612 N.W.2d 862 (Minn. 2000). Because the district court had jurisdiction and properly heard the first motion, the proceeding was not void.

Scheffler also argues that the district court’s “procedural violations preclude a merits-based dismissal.” He references the district court’s determination that the award was proper because section 549.02, subdivision 1, “allows costs ‘to defendant [u]pon discontinuance *or dismissal* or when judgment is rendered in the defendant’s favor on the merits.’” (emphasis added). The district court clarified that the statute distinguishes costs awarded “[t]o defendant” and “[t]o the prevailing party,” determining that it properly awarded the statutory amount to the defendant because it dismissed the case. We conclude that the district court did not abuse its discretion by awarding statutory costs to respondents when it dismissed the case.

B. Cost Award for Motion Filing Fees

Scheffler also argues that the district court abused its discretion by awarding costs on all three of the motions filed by respondents. We address each challenged motion separately.

Scheffler first claims that the district court abused its discretion by awarding costs for respondents' first motion because his amended complaint rendered the motion moot. We discern no reason that the district court should not award fees to a moving party for a motion that was proper at the time of filing, and Scheffler cites no legal support for this argument. We conclude that the district court did not abuse its discretion by awarding costs for respondents' first motion.

Scheffler next claims that the district court improperly awarded motion fees for respondents' motion to stay discovery because respondents "were already in violation of Rule 26.06(a), which requires a conference" within 30 days. Appellate courts will not disturb a district court's decision to grant or deny discovery requests "unless the [district] court abused its discretion, exercised its discretion in an arbitrary or capricious manner, or based its ruling on an erroneous view of the law." *1300 Nicollet, LLC v. Cnty. of Hennepin*, 990 N.W.2d 422, 431 (Minn. 2023) (quotation omitted).

Minnesota Rule of Civil Procedure 26.06(a) states: "Except . . . when the court orders otherwise, the parties must confer as soon as practicable—and in any event within 30 days from the initial due date for an answer." "Upon motion by a party . . . and for good cause shown, the court . . . may make any order . . . that the discovery may be had only on specified terms and conditions." Minn. R. Civ. P. 26.03(a)(2).

The district court determined that respondents properly filed and served their motion to stay discovery under Minnesota Rule of Civil Procedure 26.03(a)(2). The district court then exercised its discretion under Minnesota Rule of Civil Procedure 26.06(a) to grant the motion to stay discovery pending the outcome of the first motion. We conclude that the district court did not abuse its discretion by awarding costs for this motion.

Third, Scheffler argues that the district court's decision to allow costs for respondents' second motion was "particularly problematic" because the second motion was filed after the hearing, never heard, and never ruled upon. In support of his contention, Scheffler cites part of a 2014 statute that he acknowledges is no longer in effect. Scheffler also makes a policy argument regarding fairness to litigants, but this is not a legal argument addressing any abuse of discretion by the district court.

If a brief "does not contain an argument or citation to legal authority in support of the allegations raised, the allegation is deemed waived." *State v. Meldrum*, 724 N.W.2d 15, 22 (Minn. App. 2006), *rev. denied* (Minn. Jan. 24, 2007); *see also Brodsky v. Brodsky*, 733 N.W.2d 471, 479-80 (Minn. App. 2007) (recognizing that inadequately briefed arguments are forfeited). Scheffler forfeited this argument by improperly briefing it when he failed to provide a legal argument or citation to legal authority in support of his allegations. We therefore decline to address this argument.

Affirmed.