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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1214**

State of Minnesota,
Respondent,

vs.

Alexandra Jean Phillippi,
Appellant.

**Filed June 29, 2026
Affirmed in part, reversed in part, and remanded
Bentley, Judge**

Hennepin County District Court
File No. 27-CR-24-13598

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

Christopher P. Renz, Prosecutor for Metropolitan Airports Commission (MAC), Nicole J. Appelbaum, Andrew C. Case, Assistant Prosecutors, Chestnut Cambronne PA, Minneapolis, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Leah C. Graf, Assistant Public Defender, Andres Gonzalez (certified law student practitioner), St. Paul, Minnesota (for appellant)

Considered and decided by Ross, Presiding Judge; Cochran, Judge; and Bentley, Judge.

NONPRECEDENTIAL OPINION

BENTLEY, Judge

After driving the wrong way on a one-way road at the Minneapolis-St. Paul International Airport, appellant attempted a U-turn and struck another vehicle. Law

enforcement secured a warrant to obtain a blood sample as part of a driving-while-intoxicated (DWI) investigation, and the sample tested positive for amphetamine and methamphetamine. Appellant was charged with two counts of DWI, driving after revocation (DAR) of her driver's license, and careless driving. In a stipulated-facts trial, the district court found appellant guilty of each count. It then imposed sentences for each conviction except one DWI count.

In this direct appeal from those convictions, appellant argues that the district court erred by (1) denying her motion to suppress the results of the warranted blood draw because the search warrant was not supported by probable cause; (2) convicting her of two DWI counts that stem from different sections of the same criminal statute and are based on the same behavioral incident, in violation of Minn. Stat. § 609.04 (2022); and (3) imposing sentences for three convictions, which all arose from the same behavioral incident, in violation of Minn. Stat. § 609.035 (2022). Appellant filed a supplemental brief in which she represents herself and presents additional arguments. We affirm in part, reverse in part, and remand.

FACTS

The following facts derive from evidence submitted as part of a stipulated-facts trial under Minnesota Rule of Criminal Procedure 26.01, subdivision 3, and the district court's findings of fact, conclusions of law, and order.

In the evening of February 4, 2024, law enforcement investigated a collision on the one-way inbound road to Terminal 1 at the Minneapolis-St. Paul International Airport. Appellant Alexandra Jean Phillippi was the driver who caused the collision, and, after an

initial investigation, officers applied for a search warrant to obtain a sample of her blood or urine. The affidavit accompanying the request for a warrant included the following facts.

Based on a review of airport video surveillance footage, law enforcement determined that Phillippi had been “driving the wrong way down the inbound roadway.” The surveillance video showed Phillippi driving “at a high rate of speed towards oncoming vehicles,” and then attempting “to turn around as two vehicles were coming at her.” Phillippi “missed the first vehicle but struck the second vehicle on the front driver’s side,” and the vehicle she was driving incurred “heavy damage to the passenger side.” Phillippi’s driver’s license had been revoked, and she did not have insurance coverage on the vehicle she was driving. Phillippi consented to a search of her purse so that law enforcement could “obtain the vehicle keys,” and, “during the search, a small baggie commonly used to hold/transport narcotics was found.” The affiant officer stated he was “familiar with packaging commonly used to carry user amounts of narcotics” and summarized his many years of experience working as a “patrol officer, detective, and narcotics agent.”

A district court judge issued a warrant for a blood sample that evening, and Phillippi agreed to submit to a blood draw. The results of the test revealed the presence of methamphetamine and amphetamine, which are schedule II controlled substances. Minn. Stat. § 152.02, subd. 3(d)(1)-(2) (2022).

Respondent State of Minnesota charged Phillippi with DWI—under the influence of a controlled substance, in violation of Minn. Stat. § 169A.20, subd. 1(2) (Supp. 2023); DWI—operating a vehicle with any amount of schedule I or II controlled substance in the body, in violation of Minn. Stat. § 169A.20, subd. 1(7) (Supp. 2023); DAR, in violation of

Minn. Stat. § 171.24, subd. 2 (2022); and careless driving, in violation of Minn. Stat. § 169.13, subd. 2(a) (2022).¹

Phillippi moved to suppress the search warrant and the results of the blood test on the basis that the warrant was not supported by probable cause. The district court denied the motion but acknowledged that this was a “close case.”

The case proceeded to a stipulated facts trial, pursuant to rule 26.01, subdivision 3 of the Minnesota Rules of Criminal Procedure. The district court found Phillippi guilty on all four counts. It sentenced her to 90 days’ imprisonment, stayed for two years, on each of three counts: DWI—operating a vehicle with any amount of a schedule I or II controlled substance in the body; DAR; and careless driving. The district court did not impose a sentence on the conviction for DWI—under the influence of a controlled substance.

Phillippi appeals.

DECISION

Phillippi challenges her convictions and sentences on multiple grounds. First, she argues that the district court erred by denying her motion to suppress because the warrant for a blood test was not supported by probable cause. Second, she maintains that the district court violated Minnesota Statutes section 609.04 when it convicted her of two DWI counts based on the same conduct. Third, she argues that the district court violated Minnesota Statutes section 609.035 when it sentenced her on the careless driving and DAR convictions, which arose out of the same behavioral incident as the DWI counts. And

¹ Phillippi was also charged with driving without proof of insurance, in violation of Minn. Stat. § 169.791, subd. 2(a) (2022), but that count was dismissed before trial.

fourth, she presents additional arguments in a supplemental brief. We address each set of arguments in turn.

I

We turn first to Phillippi’s argument that the warrant for a blood test was not supported by probable cause. The United States and Minnesota Constitutions protect individuals from unreasonable searches and seizures, and provide that warrants must be supported by probable cause. U.S. Const. amend. IV; Minn. Const. art. 1, § 10. “[T]he taking of a blood sample . . . is a search.” *Birchfield v. North Dakota*, 579 U.S. 438, 455 (2016). “Generally, a search is valid, with a few exceptions, only if conducted pursuant to a valid warrant.” *State v. Papadakis*, 643 N.W.2d 349, 355 (Minn. App. 2002). “Probable cause exists if an affidavit sets forth competent evidence sufficient to lead a reasonably prudent person to believe there is a basis for the search,” *State v. Kahn*, 555 N.W.2d 15, 18 (Minn. App. 1996), meaning that there is a fair probability that evidence of a crime will be found in a certain location, *State v. Yarbrough*, 841 N.W.2d 619, 622 (Minn. 2014). “Police officers may rely on training and experience to draw inferences in affidavits, but mere suspicion does not equal probable cause.” *Kahn*, 555 N.W.2d at 18; *see also State v. Brennan*, 674 N.W.2d 200, 204 (Minn. App. 2004) (stating that an officer’s training and experience “can be a proper factor to consider in making a probable-cause determination”), *rev. denied* (Minn. Apr. 20, 2004).

“To determine whether the issuing court had a substantial basis for finding probable cause to search [a place], we look to the ‘totality of the circumstances’ test for probable cause.” *State v. Souto*, 578 N.W.2d 744, 747 (Minn. 1998). In a totality-of-the-

circumstances analysis, courts consider “the type of crime, the nature of the items sought, the extent of the defendant’s opportunity for concealment, and the normal inferences as to where the defendant would usually keep the items.” *Yarbrough*, 841 N.W.2d at 623. In reviewing the sufficiency of an affidavit under the totality-of-the-circumstances test, courts “must be careful not to review each component of the affidavit in isolation.” *State v. Fawcett*, 884 N.W.2d 380, 385 (Minn. 2016) (quotation omitted).

Appellate courts review warrants to determine “whether the issuing judge had a substantial basis for concluding that probable cause existed.” *State v. Nagle*, 26 N.W.3d 585, 590 (Minn. 2025) (quotation omitted). We limit the scope of our review “to the information presented in the application, and the reasonable inferences that can be drawn from that information.” *Nagle*, 26 N.W.3d at 590. Although appellate courts generally review probable-cause determinations de novo, with respect to warranted searches, we defer to the issuing judge’s determination “in doubtful or marginal cases.” *Id.*; *see also State v. Rochefort*, 631 N.W.2d 802, 804 (Minn. 2001) (stating that appellate courts “should afford the district court’s [probable-cause] determination great deference”).

The relevant evidence cited in the affidavit in support of the probable-cause determination is (1) Phillippi’s driving conduct, (2) the “small baggie” found in Phillippi’s purse and the officer’s inference based on his experience that it was of the type “commonly used to carry user amounts of narcotics,” and (3) her revoked license and lack of insurance.

Phillippi contends that this evidence is insufficient to support probable cause. She points out that the driving conduct was just one circumstance on which the district court “relied heavily,” and that the search warrant affidavit did not assert any signs of impairment

or “corroborating information linking [her] to drug use.” She argues that the officer’s experience in drug investigations is insufficient to support the inference that the “small baggie” contained narcotics, and thus insufficient to support probable cause. And she argues that having a revoked license or not carrying proof of insurance is not evidence of impairment and thus does not support probable cause.

First, we consider Phillippi’s driving conduct as “strong evidence of negligently inattentive driving,” which can contribute to probable cause because such evidence “often is explained by the defendant’s being under the influence.” *State v. Storvick*, 428 N.W.2d 55, 60 (Minn. 1988). The affidavit described Phillippi as having driven “the wrong way down the inbound roadway” and “at a high rate of speed towards oncoming vehicles.” She attempted “to turn around as two vehicles were coming at her,” then “missed the first vehicle but struck the second vehicle on the front driver’s side,” causing “heavy damage to the passenger side” of the vehicle she was driving. This describes multiple instances of poor driving judgment that may suggest impairment. *See id.*

Phillippi maintains that the driving conduct is not indicative of impairment in a situation like this where the affidavit lacked evidence of physical impairment. But an affidavit for a blood draw need not reference physical indicia of impairment in all cases. *See State v. Taylor*, 965 N.W.2d 747, 758 (Minn. 2021) (“[N]o physical indicia of intoxication are required [to find] . . . probable cause[.]”). We consider the driving conduct in the context of the totality of the circumstances presented in the affidavit. *Fawcett*, 884 N.W.2d at 384-86.

Next, we address the “small baggie” found in Phillippi’s purse and the affiant officer’s inference that the bag had once contained a controlled substance. It is well-established that “[p]olice officers may rely on training and experience to draw inferences in affidavits.” *Kahn*, 555 N.W.2d at 18. The affidavit included the officer’s inference that the empty plastic bag found in Phillippi’s purse was “commonly used to hold/transport” controlled substances. The affiant supported this inference with a statement that he was “familiar with packaging commonly used to carry user amounts of” controlled substances. The affiant also included in the affidavit a paragraph describing his multiple years of experience working on controlled-substance investigations. These facts support the affiant’s inference that the small plastic bag in Phillippi’s purse had contained a controlled substance in the past, and, consequently, further support the inference that Phillippi’s blood may have contained a controlled substance.

Finally, we consider Phillippi’s argument that driving without a license and without insurance should not contribute to a probable-cause determination because those facts do not prove that she was impaired. In *Taylor*, the supreme court noted that “some level of individualized suspicion is present for licenses canceled as inimical to public safety.” 965 N.W.2d at 757. Likewise here, we are persuaded that some level of individualized suspicion is present in Phillippi’s decision to drive on a revoked license and without insurance. While this evidence does not contribute significantly toward the determination of probable cause, we consider it as part of the totality of the circumstances.

Ultimately, we agree with the district court that this is a “close case.” But considering the affidavit as a whole and the deference owed to the district court in close

cases, we conclude that the affidavit was supported by probable cause. *See Nagle*, 26 N.W.3d at 590.

II

Phillippi argues that one of her DWI convictions must be vacated under Minnesota Statutes section 609.04 because both convictions are based on the same conduct and they stem from different sections of the same criminal statute. The state agrees, and so do we.

“Whether a conviction violates section 609.04 is a legal question that [appellate courts review] de novo.” *State v. Bonkowske*, 957 N.W.2d 437, 443 (Minn. App. 2021). “[S]ection 609.04 bars multiple convictions under different sections of a criminal statute for acts committed during a single behavioral incident.” *State v. Jackson*, 363 N.W.2d 758, 760 (Minn. 1985).

Here, both convictions were based on violations of Minnesota Statutes section 169A.20. *See* Minn. Stat. § 169A.20, subd. 1(2) (DWI—under the influence of a controlled substance), (7) (DWI—any amount of a schedule I or II controlled substance in the body). Both were based on the same driving conduct.

We therefore reverse and remand to the district court with instructions to vacate one of the DWI convictions while leaving the guilty verdict intact. *See State v. LaTourelle*, 343 N.W.2d 277, 284 (Minn. 1984). We leave it to the district court to determine on remand which conviction to vacate for purposes of complying with section 609.04. *See Bonkowske*, 957 N.W.2d at 444.

III

Phillippi argues that her sentences for DAR and careless driving must be vacated pursuant to Minnesota Statutes section 609.035, because they arose from the same behavioral incident as the DWI offenses on which she was also sentenced. The state agrees that Phillippi's sentence for careless driving should be vacated but maintains that the sentence on the DAR count should stand because it is not part of the same behavioral incident as DWI. We agree with the state in both respects.

Appellate courts review de novo whether a sentence violates section 609.035. *State v. Branch*, 942 N.W.2d 711, 713 (Minn. 2020). In general, “if a person’s conduct constitutes more than one offense under the laws of this state, the person may be punished for only one of the offenses and a conviction or acquittal of any one of them is a bar to prosecution for any other of them.” Minn. Stat. § 609.035, subd. 1. The test for determining whether two offenses arose from a single behavioral incident is “whether the offenses occurred at substantially the same time and place and arose out of a continuous and uninterrupted course of conduct, manifesting an indivisible state of mind or coincident errors of judgment.” *State v. Bauer*, 792 N.W.2d 825, 828 n.3 (Minn. 2011) (quotation omitted). The nature of the offense is relevant to that inquiry, as one offense may “by its nature [be] continuous” whereas another offense may be limited in time and place. *State v. Reiland*, 142 N.W.2d 635, 638 (Minn. 1966); *see also State v. Meland*, 616 N.W.2d 757, 759 (Minn. App. 2000) (“Caselaw distinguishes between continuing offenses and offenses limited in time and place.”); *State v. Bishop*, 545 N.W.2d 689, 692 (Minn. App. 1996) (concluding that driving after cancellation and DWI involved errors of judgment that were

“distinct and not of a similar nature”). But ultimately, “the determination must depend upon the facts of each case.” *Reiland*, 142 N.W.2d at 639.

“The state has the burden to establish by a preponderance of the evidence that the conduct underlying the offenses did not occur as part of a single behavioral incident.” *State v. Williams*, 608 N.W.2d 837, 841-42 (Minn. 2000). “Whether the offenses were part of a single behavioral incident is a mixed question of law and fact[.]” *State v. Bakken*, 883 N.W.2d 264, 270 (Minn. 2016).

We first consider the sentence imposed for the careless driving conviction. The Minnesota Supreme Court held in *State v. Gladden* that, on the facts of that case, the defendant’s careless driving and DWI convictions were based on the same behavioral incident. 144 N.W.2d 779, 783 (Minn. 1966). The court reasoned, “Both offenses manifest the requisite indivisible state of mind since defendant’s goal was to drive his car from one place to another, and in so doing, both his condition and the manner in which he went about achieving his goal were traffic offenses.” *Id.* (quotation omitted). The facts here likewise suggest that Phillippi drove carelessly and while intoxicated with the same “indivisible state of mind.” *Id.* (quotation omitted). That is, it is reasonable to infer that the decision to drive while intoxicated contributed to and coincided with her careless driving. It follows that the district court erred by imposing a sentence on both convictions. On remand, the district court is instructed to vacate the sentence for the less serious conviction. *See State v. Kebaso*, 713 N.W.2d 317, 322 (Minn. 2006) (“We have stated that section 609.035 contemplates that a defendant will be punished for the most serious of the offenses arising out of a single behavioral incident[.]” (quotation omitted)).

Turning to the sentence imposed for the DAR offense, the state has met its burden to establish that the offense did not arise out of the same behavioral incident as the DWI offenses. In *State v. Reimer*, this court considered whether a license offense and a DWI offense constituted a single behavioral incident. 625 N.W.2d 175, 176 (Minn. App. 2001). The defendant in that case drove his vehicle into a ditch while under the influence of alcohol and at a time when his license was expired. *Id.* This court rejected Reimer’s argument that driving with an expired driver’s license and while intoxicated constituted a single behavioral incident, concluding that the offenses “do not manifest an indivisible state of mind or coincident errors of judgment.” *Id.* at 177-78 (quotation omitted). In reaching that decision, we noted that “driving with an expired driver’s license is a continuing offense that recurs every time [the defendant] drives.” *Id.* at 177. We further noted that the “decision to drive with an expired license may be attributed to errors in judgment wholly independent of his decision to drink and drive.” *Id.*

We struggle to distinguish the facts of this case from *Reimer*. Like driving with an expired license, DAR is a “continuing offense that recurs every time appellant drives.” *Id.* DWI, on the other hand, is “limited in time and place.” *Meland*, 616 N.W.2d at 759-60. Phillippi argues that, “[b]ecause the record here proves only a single, continuous act of driving based on Phillippi’s singular error of judgment, the driving after revocation offense was part of the same behavioral incident as the DWI offense.” But the same could be true of the facts in *Reimer*. As we said there:

The logic behind distinguishing between driver’s license violations on the one hand, and moving violations on the other hand, thus avoiding the application of Minn. Stat. § 609.035[.]

subd. 1 (1998), is not transparently clear. Nonetheless, . . . case law in Minnesota does distinguish between continuing offenses and offenses limited in time and place, and based on that established precedent, we affirm the district court's order determining that the statutory bar to prosecution found in Minn. Stat. § 609.035 (1998) does not apply here.

Reimer, 625 N.W.2d at 178. We reach the same conclusion here with respect to Phillippi's DAR sentence.

Phillippi argues that, in the event that we decline to vacate her DAR sentence, we must nonetheless remand so that the district court can reduce her term of probation from two years to one year. She asserts that the maximum length of probation for DAR under Minnesota Statutes section 609.135, subdivision 2(f) (Supp. 2023), is one year. The state agrees, and so do we.

Section 609.135, subdivision 2(f), states, "If the conviction is for a misdemeanor not specified in paragraph (e), the stay [of a sentence] shall be for not more than one year." Driving after revocation is a misdemeanor not specified in paragraph (e). *See* Minn. Stat. §§ 609.135, subd. 2(e), 171.24, subd. 2. Therefore, the district court erred in imposing a stay of two years on the DAR conviction. We accordingly also remand for the district court to reduce the term of probation for the DAR sentence.

IV

Finally, self-represented, Phillippi argues the following in a supplemental brief: (1) the delay in resolving this case violated her rights to due process and a speedy trial, (2) she was denied effective assistance of counsel, (3) she was improperly compelled to

submit to fingerprinting and a mugshot, and (4) cumulative error prejudiced her case. None of these arguments merits relief.

First, Phillippi argues that the “more-than-two-year delay” in resolving her case violated her “right to due process and a timely resolution.” We construe her argument as alleging a speedy-trial violation because she cites *Barker v. Wingo*, 407 U.S. 514 (1972), claims that she was subject to “repeated continuances, court-appointed counsel turnover, and court-initiated scheduling failures,” and does not assert any independent argument about her due process rights.

In determining whether a defendant’s right to a speedy trial was violated, Minnesota courts consider the *Barker* factors: “(1) length of delay; (2) reason for delay; (3) defendant’s assertion of [the] right; and (4) prejudice to defendant.” *State v. Paige*, 977 N.W.2d 829, 837 (Minn. 2022) (citing *Barker*, 407 U.S. 514, 530). “Failure to assert the speedy trial right ‘make[s] it difficult for a defendant to prove that [she] was denied a speedy trial.’” *State v. Huddock*, 408 N.W.2d 218, 221 (Minn. App. 1987) (quoting *Barker*, 407 U.S. at 532).

Phillippi did not brief the *Barker* factors and, on inspection, no violation of her right to a speedy trial is apparent. *See State v. Montano*, 956 N.W.2d 643, 650-51 (Minn. 2021) (stating that “[c]laims in a pro se supplemental brief that are unsupported by either arguments or citation to legal authority are forfeited” and “will not [be] considered unless prejudicial error is obvious on mere inspection” (quotations omitted)). Her assertion that there was a more-than-two-year delay is unsupported in the record because the offense date was in February 2024 and the court trial occurred in May 2025—less than one-and-a-half

years later. The record does not show the reason for the continuances. Most importantly, Phillippi did not assert her right to a speedy trial. For these reasons, we do not discern a basis for relief.

Second, Phillippi argues that she received ineffective assistance of counsel. In order to prove ineffective assistance of counsel, an appellant must demonstrate that “(1) counsel’s performance fell below an objective standard of reasonableness”—the performance prong—and that “(2) there is a reasonable probability that, but for counsel’s error, the outcome would have been different”—the prejudice prong. *State v. Westrom*, 6 N.W.3d 145, 160 (Minn. 2024) (quotation omitted). Appellate courts “need not address both the performance and prejudice prongs if one is determinative.” *Id.* (quotation omitted).

Phillippi appears to argue that her trial counsel was ineffective because they “failed to inform” her that proceeding with a stipulated trial would “waive evidentiary challenges and result in the exclusion of critical evidence,” and because they refused to provide her with copies of the video evidence against her. She concludes that “[t]he loss of this evidence flowed directly from counsel’s misadvice and materially affected the outcome.”

The transcript of the trial belies Phillippi’s claim that she was uninformed about the consequences of proceeding on stipulated facts. The district court explained to Phillippi that a stipulated-facts trial “is a process that is almost always done in order to be able to appeal the pre-trial ruling” and asked her whether she had enough time to talk with her trial counsel, at which point she went off the record and spoke privately with counsel. When they returned, Phillippi told the district court that she “definitely underst[ood] the options now,” waived the right to trial orally and in writing, and agreed to a trial on stipulated facts.

And, in any event, Phillippi does not argue how the outcome would have been different if her trial counsel had acted as she claims they should have. She does not state in her brief what “critical evidence” was excluded, or what that evidence may have shown, nor does she explain how providing her with copies of video evidence would have changed the outcome of her case. *See id.* at 160 (concluding that appellant was not prejudiced because “even if . . . counsel had acted as [appellant] claims [they] should have . . . [,] it would not have changed the outcome” of the case). Because she did not prove that she was prejudiced, she cannot succeed on her ineffective-assistance-of-counsel claim.

Third, Phillippi argues that she was improperly compelled to submit to “medical procedures and testing,” fingerprinting, and a mugshot, all without probable cause and “prior to any formal charge or custodial arrest.” Phillippi does not specify what she means by “medical procedures and testing,” so we assume she is challenging the blood draw. Because Phillippi makes this argument for the first time on appeal, we review it for plain error. *State v. Griller*, 583 N.W.2d 736, 740 (Minn. 1998). The plain-error standard requires the defendant to show: (1) error, (2) that was plain, and (3) that affected substantial rights. *Id.* If these requirements are met, we will reverse the conviction only if reversal is necessary “to ensure fairness and the integrity of the judicial proceedings.” *Id.*

We discern no error. Routine fingerprinting and photographing of arrestees in Minnesota is governed by statute and administrative rule, and these procedures are reasonable under the Fourth Amendment to the U.S. Constitution. *Maryland v. King*, 569 U.S. 435, 435 (2013) (holding that swabbing an arrestee’s cheek for DNA “is, like fingerprinting and photographing, a legitimate police booking procedure that is reasonable

under the Fourth Amendment”); Minn. Stat. § 299C.10 (2022) (providing that “officers . . . shall take or cause to be taken immediately fingerprints and thumbprints, photographs” of “persons arrested for . . . a felony, gross misdemeanor, or targeted misdemeanor”); Minn. R. 2911.0200, subp. 7 (2025) (defining “Booking” to include “procedures such as searching, fingerprinting, [and] photographing”). Similarly, the blood draw was reasonable under the Fourth Amendment because it was done pursuant to a warrant supported by probable cause. *See State v. Wood*, 922 N.W.2d 209, 213 (Minn. App. 2019) (“[A] non-consensual blood draw is constitutionally permissible if it is performed pursuant to a valid search warrant.” (citing *Missouri v. McNeely*, 569 U.S. 141, 148 (2013)), *rev. denied* (Minn. Mar. 27, 2019)).

Fourth, Phillippi argues that her convictions must be reversed because of “cumulative error.” She lists nine circumstances she perceives to be error—including “[t]hirteen to fifteen required court appearances,” and “[s]evere financial and logistical burden after license revocation”—but she does not provide any explanation for this argument. Because we discern no obvious error on inspection, *see Montano*, 956 N.W.2d at 650, we will not consider Phillippi’s cumulative-error argument.

The arguments presented in Phillippi’s supplemental brief do not merit reversal.

Affirmed in part, reversed in part, and remanded.