

*This opinion is nonprecedential except as provided by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
A25-1234**

In the Matter of the Complaint of Troy Scheffler Regarding Representative Joshua Heintzeman and the Committee to Elect Josh Heintzeman.

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

Campaign Finance and Public Disclosure Board

Troy Scheffler, Merrifield, Minnesota (self-represented relator)

R. Reid LeBeau II, Chalmers, Adams, Backer, and Kaufman, St. Paul, Minnesota (for respondents Joshua Heintzeman and the Committee to Elect Josh Heintzeman)

Keith Ellison, Attorney General, Nathan Hartshorn, Assistant Attorney General, St. Paul, Minnesota (for respondent Campaign Finance and Public Disclosure Board)

Considered and decided by Ede, Presiding Judge; Bentley, Judge; and Jesson, Judge.*

NONPRECEDENTIAL OPINION

EDE, Judge

This is a certiorari appeal from respondent board's decision to dismiss relator's third complaint against respondents state representative and his campaign committee. Relator argues that the board erred by: (A) determining that his third complaint fails to state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2(b) (2024), which

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

prohibits individuals from signing and certifying reports or statements as true with knowledge that such documents contain false information or omit required information; (B) allowing a board member with an alleged conflict of interest to participate in the proceedings; and (C) ignoring fraud as to attorney fees. We affirm.

FACTS

September 2024 Complaint

In September 2024, relator Troy Scheffler filed a complaint with respondent Campaign Finance and Public Disclosure Board (the board) against respondents Representative Joshua Heintzeman and the Committee to Elect Josh Heintzeman (the committee) alleging violations of campaign-material disclaimer requirements. *In re Complaint of Scheffler Regarding the Comm. to Elect Josh Heintzeman*, ___N.W.3d___, ___, 2026 WL 81495, at *1 (Minn. App. Jan. 12, 2026) (*Scheffler I*). After the board dismissed three of the four claims in his complaint at the prima facie stage and the fourth at the probable cause stage, Scheffler appealed. *Id.* On appeal, we analyzed campaign-material disclaimer requirements under Minnesota Statutes section 211B.04, subdivision 1(a) (2024), and held that the statute requires “a disclaimer on campaign material” that is “conspicuous and readily noticeable to the electorate that is the intended recipient of the material.” *Id.* at *2, *3–5. Based on that holding, we reversed and remanded for the board to apply the above standard in determining whether the September 2024 complaint states a prima facie violation with respect to the claims that the board had dismissed. *Id.* at *5.

February 2025 Complaint

In February 2025, Scheffler filed a second complaint with the board, this time alleging

that (1) the committee's 2024 year-end campaign-finance report contained inaccurate or misleading entries concerning noncampaign disbursements, in violation of Minnesota Statutes §§ 211B.12, 10A.18 (2024) and Minnesota Rule 4503.0900, subpart 3 (2023); (2) Heintzeman failed to abide by Minnesota Statutes § 10A.09 (2024) by not disclosing real property and income; and (3) a campaign sign Heintzeman used during the 2024 election cycle lacked a disclaimer that was "prominently" displayed as required by Minnesota Statutes § 211B.04 (2024).

In re Complaint of Scheffler Regarding Representative Heintzeman, No. A25-0853, 2026 WL 81687, at *1 (Minn. App. Jan. 12, 2026) (footnotes omitted) (*Scheffler II*).

The board determined that the February 2025 complaint stated a prima facie violation of Minnesota Statutes section 211B.12 and Minnesota Rule 4503.0900, subpart 3, as to the committee's 2024 year-end campaign-finance report. *Id.* But the board decided that the February 2025 complaint did not state a prima facie violation of Minnesota Statutes section 10A.18 as to the campaign-finance report allegation and did not state a prima facie violation of Minnesota Statutes section 211B.04 as to the campaign-sign disclaimer allegation. *Id.* And while the board initially ruled that the complaint stated a prima facie violation of Minnesota Statutes § 10A.09, subd. 5(a)(3)–(4), after receiving more information from Heintzeman, the board found no probable cause to believe that a violation had occurred. *Id.* Following the committee's filing and amendment of its 2024 year-end campaign-finance report pursuant to statute and the board's procedures, the board

determined that the committee had corrected the alleged violation of Minnesota Rule 4503.0900, subpart 3. *Id.* at *2. The board therefore dismissed the February 2025 complaint. *Id.*

Scheffler appealed, challenging the board’s dismissal decision. *Id.* at *1. We concluded that the board did not err when it determined: that Scheffler’s complaint did not state a prima facie violation of Minnesota Statutes section 10A.18; that there was no probable cause to believe that the committee had failed to adequately disclose legal expenses after the committee amended its 2024 year-end campaign-finance report; and that there was no probable cause to believe that Heintzeman had violated Minnesota Statutes section 10A.09, which requires the disclosure of certain economic interests. *Id.* at *3–6. Applying our holding in *Scheffler I*, however, we concluded that the board erred in its interpretation of “prominently,” as used in Minnesota Statutes section 211B.04. *Id.* at *6. We therefore reversed the board’s decision as to section 211B.04 and remanded for the board to make a new prima facie determination regarding Scheffler’s allegation under that statute. *Id.*

July 2025 Complaint

In July 2025, Scheffler filed a third complaint with the board, alleging: (1) six instances of “fraud/money laundering”; (2) that Heintzeman filed an amendment to the committee’s 2024 year-end campaign-finance report in May 2025, which was fraudulent and violated Minnesota Statutes section 10A.18 (2024); (3) that Minnesota Statutes section 211B.04 (2024) “conveniently exempts state legislatures” from fraud discoveries; (4) that the committee’s legal expenses establish extortion; and (5) that a member of the

board, David Asp, had a conflict of interest in the litigation.¹ In addition, Scheffler “reallege[d] and reincorporate[d]” the February 2025 complaint.

The board filed a written prima facie determination, in which it decided that the July 2025 complaint did not state a prima facie violation of the rules and statutes on which Scheffler had relied. In its written determination, the board addressed the allegations in the July 2025 complaint relating to “reporting, noncampaign disbursements, and false certification.” The board observed that, regarding these allegations, “all but one of the issues raised in the complaint have already been considered by the board.” Addressing the one issue Scheffler had not raised before—three noncampaign disbursements totaling \$445—the board observed that the July 2025 complaint appeared to correctly assert that the committee had referenced the wrong legal case in explaining the purpose of the three disbursements. And the board stated that it would notify the committee and, “if the assertion is correct, the . . . committee [would] be required to file another amended 2024 year-end [campaign-finance] report to correct that error pursuant to Minnesota Statutes section 10A.025, subdivision 4 [(2024)].”²

¹ Scheffler’s allegation as to Board Member Asp relates to the following question that Scheffler asked Asp during a probable cause hearing concerning the September 2024 complaint: whether Asp was “personal friends” with an attorney involved in the proceedings. Board Member Asp stated that he was friends with the attorney, explaining: “[T]here are many a lawyer who know other lawyers or representatives who were appointed as board members, and that’s our role.” Following that explanation, Board Member Asp declined to recuse himself.

² The committee later filed an amended 2024 year-end campaign-finance report that corrected the error, as directed by the board.

But the board also ruled that “[t]he complaint [did] not provide a basis to believe that the . . . committee’s treasurer . . . knowingly filed a false report” and that “the filing of conflicting documents with the board indicates an error, not malfeasance.” Thus, the board determined that the complaint did not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2 (2024).³

The board further determined that the July 2025 complaint did not state a prima facie violation as to the “use of money collected for political purposes” under Minnesota Statutes sections 10A.34 and 211B.12 (2024). In reaching this determination, the board explained that “[i]t is not possible for the . . . committee or . . . Heintzeman to violate . . . [section 10A.34] because [the statute] does not govern the conduct of any entities other than the board, county attorneys, and the judiciary.” The board also cited its earlier decision that the committee “was permitted to use campaign funds for legal services related to . . . [certain] lawsuit[s], . . . consistent with Minnesota Statutes sections 211B.12 and 10A.01, subdivision 26, paragraph (a), clause (1) [(2024)].” And the board ruled that, among other things, “[t]o the extent that the [July 2025] complaint reassert[ed] allegations that were dismissed within the prima facie determination issued” as to the February 2025 complaint, “those allegations [were] again dismissed for the reasons stated therein.”

³ Because the board reasoned that the committee’s amended 2024 year-end campaign-finance report included “sufficient information to justify the classification of [the challenged] disbursements as noncampaign disbursements” and “accurately identifie[d] the vendor that was paid and the general purpose of the disbursements, namely court fees,” the board also decided that the complaint did not state prima facie violations of either Minnesota Rules 4503.0900, subpart 3 (2023), or Minnesota Statutes section 10A.20, subdivision 3 (2024).

Although the board’s written prima facie determination about the July 2025 complaint did not expressly address Scheffler’s allegation that Board Member Asp had a conflict of interest, it was signed by Board Chair Faris Rashid and specifically noted it was “made by a single board member and not by any vote of the entire board.” The determination concluded by stating that the July 2025 complaint was dismissed without prejudice.

This certiorari appeal follows.

DECISION

Scheffler argues that the board erred by: (A) determining that the July 2025 complaint fails to state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2(b); (B) allowing Board Member Asp to participate in the proceedings despite an alleged conflict of interest; and (C) ignoring fraud as to attorney fees. As explained below, we conclude that the board did not err in dismissing the July 2025 complaint.⁴

As with other agency decisions, determinations by the board “enjoy a ‘presumption of correctness.’” *In re Appeal by RS Eden/Eden House*, 928 N.W.2d 326, 332 (Minn. 2019) (quoting *Rsrv. Mining Co. v. Herbst*, 256 N.W.2d 808, 824 (Minn. 1977)). A relator seeking relief in a certiorari appeal bears the burden of proving that the challenged decision “was

⁴ We decline Heintzeman and the committee’s invitation to dismiss this appeal for failure to exhaust administrative remedies because we conclude that they have not convincingly established that Minnesota Statutes section 10A.022, subdivision 3 (2024), obligated Scheffler to file a revised complaint seeking further review by the board before petitioning for writ of certiorari from the board’s prima facie determination.

reached improperly.” *Cannon v. Minneapolis Police Dep’t*, 783 N.W.2d 182, 196 (Minn. App. 2010) (quotation omitted).

We review a determination by the board under Minnesota Statutes section 14.69 (2024). *See* Minn. Stat. § 10A.02, subd. 13(a) (2024) (“Chapter 14 applies to the board.”). Minnesota Statutes section 14.69 provides that a reviewing court is limited to determining whether the board’s decision is:

- (a) in violation of constitutional provisions; or
- (b) in excess of the statutory authority or jurisdiction of the agency; or
- (c) made upon unlawful procedure; or
- (d) affected by other error of law; or
- (e) unsupported by substantial evidence in view of the entire record as submitted; or
- (f) arbitrary or capricious.

In other words, “[u]nder Minn. Stat. § 14.69, [appellate courts] may affirm, remand, or reverse an agency decision if the agency’s findings of fact are unsupported by substantial evidence, arbitrary or capricious, or affected by an error of law.” *In re NorthMet Project Permit to Mine Application*, 959 N.W.2d 731, 749 (Minn. 2021).

The board has limited jurisdiction to investigate alleged violations of Minnesota election laws—including chapter 10A of the Minnesota Statutes and Minnesota Statutes sections 211B.04, .12, .15 (2024)—“by or related to a candidate, treasurer, principal campaign committee, political committee, political fund, or party unit, as those terms are defined in . . . chapter [10A].” Minn. Stat. § 10A.022, subd. 3(a). The board’s investigatory process begins with the filing of a written and signed complaint that must detail the specific facts supporting any alleged violations. *Id.*; *see also* Minn. Stat. § 10A.025, subs. 1a–1b

(2024); Minn. R. 4525.0200, subps. 1, 2 (2023). “Upon receipt of a written complaint filed with the board, the board chair or another board member designated by the chair shall promptly make a determination as to whether the complaint alleges a prima facie violation.” Minn. Stat. § 10A.022, subd. 3(c). “A prima facie determination is a determination that a complaint filed under section 10A.022, subdivision 3, is sufficient to allege a violation of . . . chapter [10A] or of those sections of chapter 211B listed in section 10A.022, subdivision 3.” Minn. Stat. § 10A.01, subd. 32(a) (2024). If the board determines that the complaint does not state a prima facie violation, “the complaint shall be dismissed without prejudice” and the board must notify the complainant and the subject of the complaint by providing a written explanation of the reasons for dismissal. *See* Minn. Stat. § 10A.022, subd. 3(c); *see also* Minn. R. 4525.0210, subp. 4 (2023).

With these general principles in mind, we address each of Scheffler’s specific arguments in turn.

A. The board did not err in determining that the July 2025 complaint fails to state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2(b).

Scheffler contends that, in reviewing the committee’s 2024 year-end campaign-finance report under Minnesota Statutes section 10A.025, subdivision 2(b), the board erred by improperly making a determination about the committee’s knowledge. He also maintains that the board erred by declining to determine that Heintzeman and the committee violated Minnesota election laws, despite the board’s identification of an apparent error in the report. These arguments are unavailing.

The board observed that the July 2025 complaint appeared to correctly assert that the committee had referenced the wrong legal case in explaining the purpose of three noncampaign disbursements totaling \$445. But the board nonetheless ruled that “[t]he complaint [did] not provide a basis to believe that the . . . committee’s treasurer . . . knowingly filed a false report” and that “the filing of conflicting documents with the board indicates an error, not malfeasance.” On those grounds, the board determined that the complaint did not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2. We discern no error in this determination.

Scheffler cites *State v. Hinckley*, 5 N.W.3d 680 (Minn. 2024), in asserting that “the board must find prima facie violations when complaint allegations ‘facially state’ violations.” He broadly contends that “*Hinckley* established that prima facie determinations must focus on whether allegations ‘facially state’ violations, not whether [Heintzeman and the committee] acted with intent.” But *Hinckley* is distinguishable because it is a direct criminal-law appeal, not a certiorari appeal in the campaign-finance context, and because the opinion did not hold what Scheffler claims. *Hinckley* concerned a defendant’s appeal from convictions of first-degree arson, second-degree burglary, and theft of a motor vehicle, in which the defendant argued that the district court abused its discretion in denying his right to assert a mental-illness defense based on the court’s determination that he had not made a prima facie showing that his mental illness had caused him to fail to know the nature of his actions or that his actions were wrong. 5 N.W.3d at 681–84.

Contrary to Scheffler’s suggestion here, the Minnesota Supreme Court in *Hinckley* did not analyze the district court’s prima facie determination by “focus[ing] on whether

allegations ‘facially state’ violations” rather than whether the defendant had “acted with intent.” Instead, the supreme court defined prima facie evidence as “evidence that will establish a fact or sustain a judgment unless contradictory evidence is produced.” *Id.* at 685 (quotation omitted). And the supreme court observed that “a prima facie case simply means one that prevails in the absence of evidence invalidating it” and that “prima facie evidence is established in circumstances in which the evidence proves a fact in the absence of any opposing, suspicious circumstances.” *Id.* at 685–86 (quotations omitted). While the supreme court explained that, in applying a prima facie standard, “it is not appropriate for a [decisionmaker] to weigh the evidence presented by the [party seeking to make a prima facie showing] against contrary evidence proffered by the [opposing party],” the court importantly instructed that “[i]t is appropriate . . . and necessary[] for the [decisionmaker] to carefully consider any claims by the [opposing party] that the evidence is not sufficient to meet the prima facie standard.” *Id.* at 686 (footnote omitted).

In this case, the board appropriately and necessarily considered whether the allegations in the July 2025 complaint met the prima facie standard by sufficiently alleging that Heintzeman and the committee had signed and certified to be true the committee’s 2024 year-end campaign-finance report *with knowledge* that the report contained false information. *Cf. id.* This is because subdivision 2(b) of Minnesota Statutes section 10A.025 provides: “An individual shall not sign and certify to be true a report or statement *knowing* it contains false information or *knowing* it omits required information.” Minn. Stat. § 10A.025, subd. 2(b) (emphasis added).

“Although [appellate courts] accord deference to agency decisions, the interpretation of statutes and administrative regulations is a legal question, which [appellate courts] review de novo.” *In re MCEA for Commencement of an Env’t Assessment Worksheet*, 980 N.W.2d 175, 184 (Minn. 2022). “The object of all interpretation and construction of laws is to ascertain and effectuate the intention of the legislature.” Minn. Stat. § 645.16 (2024). “[W]ords and phrases are construed according to rules of grammar and according to their common and approved usage.” Minn. Stat. § 645.08(1) (2024). Appellate courts “do not defer to an agency’s interpretation of a statute when the statute is unambiguous.” *MCEA*, 980 N.W.2d at 184. “If the Legislature’s intent is clear from the statute’s plain and unambiguous language, then [appellate courts] interpret the statute according to its plain meaning.” *Minn. Internship Ctr. v. Minn. Dep’t of Educ.*, 10 N.W.3d 178, 184 (Minn. 2024) (quotation omitted). Appellate courts “may not add language to a statute; rather, [courts] must apply the plain language of the statute as written.” *Energy Pol’y Advocs. v. Ellison*, 980 N.W.2d 146, 156 (Minn. 2022) (quotations omitted).

No party argues that subdivision 2(b) of Minnesota Statutes section 10A.025 is ambiguous. Because we conclude that “the Legislature’s intent is clear from the statute’s plain and unambiguous language,” we “interpret the statute according to its plain meaning.” *Minn. Internship Ctr.*, 10 N.W.3d at 184 (quotation omitted). Given the plain and unambiguous language of Minnesota Statutes section 10A.025, subdivision 2(b), a *prima facie* determination of a violation of that statute requires a complaint filed under Minnesota Statutes section 10A.022, subdivision 3, to sufficiently allege that an individual signed and certified to be true a report or statement *knowing* that it contained false

information or *knowing* that it omitted required information. *See* Minn. Stat. § 10A.025, subd. 2(b); *see also* Minn. Stat. § 10A.01, subd. 32(a). And while chapter 10A proscribes certain campaign-finance violations—including the failure to file a required report, *see, e.g.*, Minn. Stat. § 10A.20, subd. 12 (2024)—Scheffler has identified no statutory prohibition against *unknowingly* filing a report that contains erroneous information, nor are we aware of any. We may not add such language to the statutory scheme and are instead bound to apply the plain language of chapter 10A as written. *Energy Pol’y Advocs.*, 980 N.W.2d at 156. Consequently, the board’s mere observation that the July 2025 complaint appeared to correctly assert that the committee had referenced the wrong legal matter in explaining the purpose of the three noncampaign disbursements did not require the board to determine that the July 2025 complaint made a prima facie case of a Minnesota election-law violation.

For these reasons, the board’s consideration of Heintzeman and the committee’s knowledge in determining that the July 2025 complaint failed to state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2(b), was not affected by an error of law. *See* Minn. Stat. § 14.69(d). Notably, Scheffler has identified no allegations in the July 2025 complaint that would suggest that Heintzeman and the committee knowingly referenced the wrong legal case in explaining the purpose of the three noncampaign disbursements totaling \$445. Accordingly, the board did not err in determining that the July 2025 complaint fails to state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2(b).

B. The board’s prima facie determination was not affected by an error of law arising from Board Member Asp’s alleged conflict of interest.

Scheffler argues that we should reverse the board’s prima facie determination because Board Member Asp “disclosed a personal relationship” with an attorney involved in the proceedings and therefore should have—but did not—recuse himself under Minnesota Code of Judicial Conduct Rule 2.11. This argument does not merit reversal.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3(c), “the board chair or another board member designated by the chair” makes the “determination as to whether the complaint alleges a prima facie violation.” Consistent with this statute, the board’s prima facie determination was signed by Chair Rashid and expressly states that it was “made by a single Board member and not by any vote of the entire Board.” Scheffler has not pointed to any evidence in the record showing that Board Member Asp had a role in the board’s prima facie determination that is before us for review.

We therefore conclude that the board’s prima facie determination was not affected by an error of law arising from Board Member Asp’s alleged conflict of interest.⁵ See Minn. Stat. § 14.69(d).

⁵ We add that Scheffler’s reliance on the Minnesota Code of Judicial Conduct is not persuasive because “[t]he Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates,” not members of the board. Minn. Code Jud. Conduct preamble. And based on our careful review of the record, we observe that no conflict of interest concerning Board Member Asp is apparent.

C. Scheffler’s argument that the committee’s 2024 year-end campaign finance report does not adequately disclose attorney fees is barred by res judicata.

Scheffler argues that the board’s prima facie determination is erroneous because “the record reveals a sophisticated attorney-fee laundering operation that the board willfully ignores.” We conclude that Scheffler’s attorney-fee claims are barred by res judicata based on our decision in *Scheffler II*.

“The doctrine of res judicata prevents either party in an action from relitigating claims arising from the original circumstances, even under new legal theories.” *Aaron Carlson Corp. v. Cohen*, 933 N.W.2d 63, 72 (Minn. 2019) (quotation omitted). “In order to apply res judicata, a court must find that four conditions exist: (1) the earlier claim involved the same set of factual circumstances; (2) the earlier claim involved the same parties or their privies; (3) there was a final judgment on the merits; [and] (4) the estopped party had a full and fair opportunity to litigate the matter.” *Id.* (quotation omitted). “The doctrine is not limited to issues actually litigated in the prior proceeding, but may be applied to any claim that could have been litigated.” *Id.* “The application of the doctrine of res judicata is a question of law that [appellate courts] review de novo.” *Mach v. Wells Concrete Prod. Co.*, 866 N.W.2d 921, 925 (Minn. 2015).

In the July 2025 complaint, Scheffler “reallege[d] and reincorporate[d]” the February 2025 complaint. The board’s prima facie determination ruled that, “[t]o the extent that the [July 2025] complaint reassert[ed] allegations that were dismissed within the prima facie determination issued” as to the February 2025 complaint, “those allegations [were] again dismissed for the reasons stated therein.”

The res judicata doctrine applies here. *Scheffler II* involved the same set of factual circumstances and the same parties as here; there was a final judgment on the merits; and Scheffler had a full and fair opportunity to litigate the matter. *See Aaron Carlson Corp.*, 933 N.W.2d at 72.⁶ In particular, we concluded in *Scheffler II* that the board did not err when it determined as to the February 2025 complaint that there was no probable cause to believe that the committee failed to adequately disclose legal expenses after the committee amended its 2024 year-end campaign-finance report. 2026 WL 81687, at *4–6. Scheffler’s attorney-fee claim in the July 2025 complaint underlying this certiorari appeal involves the same parties and the cause of action arising out of the February 2025 complaint, for which he received a judgment on the merits in *Scheffler II*. Because Scheffler had a full and fair opportunity to litigate the issue of legal expenses in that prior proceeding, Scheffler’s attorney-fee argument in this appeal is barred by res judicata.⁷

Affirmed.

⁶ As much as Scheffler may claim that there is some distinction between legal-expenses issues resolved in *Scheffler II* and the alleged “attorney fee laundering operation” that he argues in this appeal that the board has “willfully ignore[d],” we are not convinced that reversal is warranted on this ground because the doctrine of res judicata “is not limited to issues actually litigated in the prior proceeding, but may be applied to any claim that could have been litigated.” *Id.*

⁷ Scheffler maintains other contentions in this appeal, none of which are supported by citations to legal authority. While we have a duty to accommodate self-represented litigants, they “are generally held to the same standards as attorneys.” *Black v. Rimmer*, 700 N.W.2d 521, 527 (Minn. App. 2005) (quotation omitted), *rev. dismissed* (Minn. Sept. 28, 2005). Because Scheffler’s remaining arguments are unsupported by citations to legal authority and we discern no obvious prejudicial error based on our inspection of the record, those contentions are waived. *See In re Khan*, 804 N.W.2d 132, 143 (Minn. App. 2011) (“An assignment of error in a brief based on mere assertion and not supported by argument or authority is waived unless prejudicial error is obvious on mere inspection.”).