

*This opinion is nonprecedential except as provided by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
A25-1261**

State of Minnesota,
Respondent,

vs.

Russell Floyd Lindquist,
Appellant.

**Filed August 3, 2026
Affirmed
Schmidt, Judge**

Dakota County District Court
File No. 19HA-CR-20-142

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

Kathryn M. Keena, Dakota County Attorney, Zachary J. Kraemer, Assistant County Attorney, Hastings, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Roy G. Spurbeck, St. Paul, Minnesota (for appellant)

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

NONPRECEDENTIAL OPINION

SCHMIDT, Judge

Appellant challenges his food-stamp-fraud conviction, arguing that the state presented insufficient evidence to prove the willfulness element of the offense. We affirm.

FACTS

Appellant Russell Floyd Lindquist lived in California from 2010 to 2017 where he received benefits through the Federal Supplemental Nutrition Assistance Program (SNAP). Lindquist moved from California to Minnesota in 2017.

In January 2018, Lindquist applied for SNAP benefits in Minnesota. The Minnesota application asked: “Have any household members ever received cash assistance, commodities or [SNAP] benefits?” Lindquist answered “No.” Lindquist began receiving benefits in Minnesota in February 2018.

In October 2018, law enforcement investigated an alert from a nationwide system that identifies individuals who have active benefits in more than one state. Transaction reports from the Electronic Benefit Transfer (EBT) card showed that Lindquist had used his California EBT card at the same time he used the Minnesota EBT card.

Respondent State of Minnesota charged Linquist by amended complaint with one count of theft (wrongfully obtaining public assistance in excess of \$1,000), one count of perjury, and one count of food-stamp fraud (\$1,000 or less). The complaint alleged, in part, that Lindquist received an overpayment of \$452 in SNAP assistance.

After waiving his right to a jury trial, the district court held a bench trial and found Lindquist guilty of all charges. Lindquist appealed. This court reversed his conviction and remanded for a new trial. *See State v. Lindquist*, No. A22-0850, 2023 WL 2127747 (Minn. App. Feb. 14, 2023), *rev. denied* (Minn. May 16, 2023).

On remand, a jury found Lindquist guilty of food-stamp fraud and acquitted him of all other charges. Linquist appeals.

DECISION

I. The state presented sufficient evidence to prove the willfulness element of Lindquist’s food-stamp-fraud offense.

Lindquist argues that the state failed to present sufficient evidence to support the jury’s verdict finding him guilty of food-stamp fraud. We disagree.

To prove food-stamp fraud, the state needed to establish that Lindquist, “by means of a willful statement or misrepresentation,” obtained SNAP benefits “to which [he was] not entitled or in an amount greater than that to which [he was] entitled.” Minn. Stat. § 393.07, subd. 10(c)(1) (2016). Lindquist challenges the sufficiency of the evidence for the “willfulness” element, which contemplates “deliberate, intentional conduct.” *State v. O’Day*, 25 N.W.3d 893, 898 (Minn. App. 2025), *rev. granted* (Minn. Sept. 24, 2025). Because “willfulness” is a mental state, it is typically proven via circumstantial evidence. *State v. Raymond*, 440 N.W.2d 425, 426 (Minn. 1989). We must, therefore, consider the sufficiency of the circumstantial evidence proved at trial.

Minnesota appellate courts apply a two-step test for assessing the sufficiency of circumstantial evidence. *State v. Firkus*, 31 N.W.3d 468, 478 (Minn. 2026). We must first “winnow down the evidence presented at trial by resolving all questions of fact in favor of the jury’s verdict, which results in a subset of facts that constitute the circumstances proved.” *Id.* (quotations omitted). Second, “we consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.” *Id.* at 483 (quotation omitted).

A. The Circumstances Proved

The circumstances proved are as follows:

- Lindquist lived and received SNAP benefits in California from 2010 to 2017.
- Lindquist moved to Minnesota and applied for SNAP benefits in January 2018.
- The Minnesota SNAP benefit application asked: “[h]ave any household members ever received cash assistance, commodities or [SNAP] benefits?” Lindquist answered “No.”
- In October 2018, law enforcement investigated an alert that Lindquist may be receiving benefits from more than one state.
- The investigation uncovered EBT card transaction reports that showed Lindquist had used his California EBT card at the same time as using his Minnesota EBT card.
- Lindquist received \$452 in overpayment of SNAP benefits.

B. The inferences from the circumstances proved are consistent with a hypothesis of guilt and inconsistent with any rational hypothesis other than guilt.

We next consider whether the inferences drawn from the circumstances proved are consistent with a hypothesis of Lindquist’s guilt and inconsistent with a rational hypothesis other than guilt. *Id.* Lindquist does not dispute that the circumstantial evidence was consistent with a rational hypothesis of guilt. We agree.

Lindquist answered “no” when asked if he had received other SNAP benefits. The inference from the circumstantial evidence is consistent with a rational hypothesis that Lindquist intentionally misrepresented that he received California SNAP benefits.

Lindquist argues, however, that there is a rational hypothesis other than guilt: that he thought the form that he completed was only asking whether he had previously received Minnesota SNAP benefits, which he had never received before. We are not persuaded.

The application explicitly warned applicants about receiving multiple benefits for the same time period. The form stated:

Do not give false information or hide information to get or continue to get benefits. If you get cash or SNAP benefits and give false information or hide information about your identity and residency to get multiple benefits for the same period of time, you may be barred for 10 years.

Because the form specifically warned against receiving benefits in multiple states at the same time and nothing in the form limits the question about receiving prior benefits to those issued in Minnesota, the circumstances proved are not consistent with a rational hypothesis other than guilt. The evidence sufficiently proved Lindquist's guilt.

II. Lindquist's pro se supplemental arguments

Lindquist's pro se supplemental brief raises three broad issues: (1) failure to establish probable cause; (2) violation of his due-process rights; and (3) arguments about "evolving standards of decency[.]" We conclude that none of the issues merit relief.

First, Lindquist asserts that the state failed to establish probable cause because no evidence was presented that he applied for California benefits while he was in Minnesota. We disagree. The state proved—through testimony and exhibits—that Lindquist received and used benefits from California and from Minnesota at the same time.¹

¹ Lindquist also contends that the state ignored federal laws and regulations that he presented to the jury as evidence. No such evidence exists in this record.

Second, Lindquist asserts that his due-process rights were “repeatedly violated” by the state and the district court. But Lindquist supports his argument with general allegations of misconduct and without relevant legal authority. “Although some accommodations may be made for pro se litigants, this court has repeatedly emphasized that pro se litigants are generally held to the same standards as attorneys and must comply with court rules.” *Fitzgerald v. Fitzgerald*, 629 N.W.2d 115, 119 (Minn. App. 2001). The Minnesota Supreme Court has held that an assignment of error based on mere assertion—that is unsupported by argument or authority—is forfeited and need not be considered unless prejudicial error is obvious on mere inspection. *See Schoepke v. Alexandrer Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (Minn. 1971). Lindquist’s arguments raise no obvious prejudicial error on mere inspection.

Third, Lindquist asserts that his conviction violates “evolving standards of decency,” which precludes “making a homeless military veteran a felon for eating . . . a bit of extra food.” But we cannot interfere with the state’s decision to prosecute Lindquist. *See State v. Lee*, 706 N.W.2d 491, 494 (Minn. 2005) (recognizing that, except in limited circumstances, the separation-of-powers doctrine prohibits the judiciary from interfering with a prosecutor’s charging authority). And a jury found Lindquist guilty of the charged crime of fraud related to the food stamps, which we determined was supported by sufficient evidence. Lindquist’s contention does not raise a viable argument.

Affirmed.