

*This opinion is nonprecedential except as provided by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
A25-1381**

State of Minnesota,
Respondent,

vs.

Ahmed Ali Abdi,
Appellant.

**Filed July 13, 2026
Affirmed
Halbrooks, Judge***

Hennepin County District Court
File No. 27-CR-24-20974

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

Mary F. Moriarty, Hennepin County Attorney, Britta Nicholson, Assistant County Attorney, Minneapolis, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Sara L. Martin, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Larson, Presiding Judge; Harris, Judge; and Halbrooks, Judge.

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

NONPRECEDENTIAL OPINION

HALBROOKS , Judge

Appellant challenges his convictions of second-degree intentional murder, second-degree unintentional murder, and unlawful possession of a firearm, arguing that the district court abused its discretion by admitting inadmissible hearsay and opinion testimony. Appellant contends that, because of the district court's errors, he was prejudiced at trial and a reversal is required. We affirm.

FACTS

In August 2024, a police officer was monitoring footage from a Milestone camera of a homeless encampment on the 3300 block of 3rd Avenue South in Minneapolis.¹ While watching the live footage, the officer observed a group of people in the center of the encampment appearing to engage in a verbal altercation. Eventually the altercation turned physical, and the group moved to the middle of 3rd Avenue. The following parties were involved in the altercation: a male with a black bucket hat and red shirt with a tan stripe (later identified as J.H.), a male wearing a Timberwolves jersey, a male wearing a Twins jersey, a male with no shirt on, and a male with a bright yellow jacket and a gray stocking hat.

From the video footage, it appeared that the group was attempting to harm J.H. When the group moved into the street, multiple people ran after J.H. J.H. attempted to get away from the pursuing group and ran down the street as they followed him. The male in

¹ Milestone cameras are cameras placed around Minneapolis that law enforcement can access from any city computer to monitor potential criminal activity.

the yellow jacket continued down the sidewalk apart from the rest of the group, walking toward J.H. J.H. then ran (or was pushed) up onto the sidewalk in front of the male in the yellow jacket who then raised his arm at J.H., shot J.H. at close range, and quickly turned around and walked in the other direction. A few seconds later J.H. fell to the ground. Multiple 911 callers in the area reported that they saw an altercation break out at the encampment and then heard a single gunshot. Paramedics arrived and took J.H. to the hospital, but he died soon after from a single gunshot wound to the chest.

After reviewing footage from the Milestone camera, officers began investigating the shooting and looking for the male in the yellow jacket as a suspect. One of the officers (the first officer) watched the video of the offense multiple times and began investigating the area for other cameras and potential witnesses. After speaking with witnesses, the first officer learned that the male in the yellow jacket was known by the nickname “Curly.” The first officer then ran the nickname through a police database, which returned four potential suspects and one photograph that depicted Abdi. The first officer believed that the still photograph of the altercation from the Milestone camera matched the photograph of Abdi from the police database.

Another officer (the second officer) was also consulted in the investigation because he had a prior interaction with Abdi in November 2023. During that interaction, the second officer was in contact with Abdi for about one hour and had body-worn camera (BWC) footage of the interaction. The second officer was shown photographs of the male in the yellow jacket from the Milestone footage that he then compared to his BWC footage from

November 2023 and confirmed his belief that the male in the yellow jacket and the individual from his BWC footage from 2023 were the same person.²

In September 2024, respondent State of Minnesota arrested and charged Abdi with second-degree intentional murder in violation of Minn. Stat. § 609.19, subd. 1(1) (2024), and unlawful possession of a firearm in violation of Minn. Stat. § 624.713, subd. 1(2) (2024).

The state and Abdi submitted multiple motions in limine to the district court. Among the defense's motions, Abdi moved the district court to prevent the state from introducing inadmissible hearsay through testimony from police officers about what witnesses told the officers under the guise of explaining how the investigation focused on the defendant; to preclude lay opinion testimony about the guilt or innocence of Abdi; and to prohibit any officers from testifying that Abdi was the shooter.

The case proceeded to a jury trial. Before the jury was sworn in, the district court heard arguments from the parties regarding the motions in limine. The district court determined that, pursuant to the defense's motion, "The way I read this is just there's a standing objection to inadmissible hearsay" and "defense can object as necessary, during the course of the trial." Regarding the motion concerning officer opinion testimony and the surveillance footage of the offense, the state argued that, based on the caselaw, "officers who review surveillance video and are investigating a crime can make determinations and

² The court ruled at trial that the officer could testify that he had an interaction with Abdi in November 2023 but that the BWC footage and booking photos from that incident were inadmissible as evidence.

express opinions to the jury about the time that they were viewing the video, who they believed the individuals that were involved were, to assist the jury in following along with that conduct.” The district court agreed with the state’s argument.

During trial, the state offered the Milestone footage of the offense and played it for the jury. The officer who watched the footage live and operated the camera when the altercation occurred described the video while it played for the jury. He stated that it appeared the man in the yellow jacket raised his arm and shot J.H. before J.H. collapsed on the sidewalk. The state also entered exhibits of still shots from the Milestone camera that showed close-ups of the man in the yellow jacket and parts of the altercation.

The first officer and the second officer were called to testify about the investigation of the shooting. During the first officer’s testimony, he stated that he watched the Milestone footage “ten or more times” before going out into the community to locate other cameras or witnesses. The first officer testified that he learned from witnesses that the male in the yellow jacket went by the nickname “Curly.” The first officer stated that he ran the nickname through a police database to obtain the legal names of persons who used that moniker and was provided with four suspects, which included Abdi, and one photograph of Abdi. The first officer testified that, when he compared Abdi’s photograph from the database with the still shot from the Milestone video of the male in the yellow jacket, he believed that “they closely matched.” He then passed on the information to other officers and investigators.

The second officer then testified that he had had a prior interaction with Abdi in November 2023 and was sent still shots of the Milestone footage after this offense

occurred. The second officer explained that he compared the photographs of the man in the yellow jacket from the Milestone camera to his BWC footage of Abdi from November 2023 and, after comparing each, he “believe[d] that they [we]re the same person.” He then relayed this belief to other investigators.

J.H.’s mother also testified at trial that J.H. was dating Abdi’s ex-girlfriend at the time of the shooting and that the three of them had spent time together in the past.

The arresting officer testified that he was told by homicide investigators about the suspect’s identity and nickname, and that there was probable cause for an arrest. The officer stated that he found Abdi in another encampment and addressed him as “Curly” to which Abdi responded. Abdi was arrested and taken to the police station.

The state offered BWC footage of Abdi’s arrest into evidence with a photograph showing Abdi’s face from the BWC footage. The state also moved the district court to add the lesser-included charge of second-degree unintentional murder in violation of Minn. Stat. § 609.19, subd. 2(1) (2024), as Count 2. Defense counsel did not object, and the district court granted the motion.

After the state rested, defense counsel moved the district court for a directed verdict of acquittal. The district court denied the motion.

During closing arguments, the prosecutor stated:

How do we know Defendant was the shooter? We heard testimony from [the first officer], who is the main investigator on this case. You heard that he conducted significant investigation into this case. He watched the Milestone video, he said, over ten times, including stopping, starting it, going through it with a fine-tooth comb. As part of his investigation, he learned that the shooter’s nickname might be “Curly”.

Using his investigative tools, [the first officer] ran that nickname through a police database, and based on that information, a photo of the Defendant came up. Now, [the first officer] told you—when viewing that photo of the Defendant . . . at the time, he compared it to the Milestone video. He believed that that photo matched the person in the Milestone video wearing the yellow shirt, and gray Carhartt hat.

The district court then interjected and reminded the jury “whether or not [Abdi] is the one pictured in the video is up to you all to decide” and that “the ultimate determination of who is depicted in these pictures and videos is up to you.”

For the majority of the defense’s closing argument, counsel attacked the identity of the shooter, pointing out that multiple witnesses did not see who the shooter was and that officers jumped to conclusions about the identity of the man in the yellow jacket. Counsel stated, in part:

Who is the guy in the yellow shirt and gray hat? This is province of the jury. This is for the members of the jury panel to decide. Who was that person?

Yellow shirt and gray hat is not Mr. Abdi. It’s not Mr. Ahmed Abdi. They are different people.

So how did investigators draw that conclusion? It started with a tip. There was an unknown someone who provided a nickname to police. That nickname somehow associated in some—was associated in some police database with the name, Ahmed Abdi. Then, the Officer happened to remember an interaction ten months prior.

And because Mr. Abdi is thin and dark skinned, the investigators quickly jumped to conclusions. It fit their narrative. They didn’t have eye witnesses from the scene outside the encampment that day. There was a video, but there were no eye witnesses.

And remember, no one who called 911 saw anything. You didn't—no one—no one testified about having eyewitness observations of what actually happened. You have the videos, but it is up to you, the jury, to decide.

And this was without any fingerprint or DNA evidence linking Mr. Abdi to the yellow hat—yellow shirt and gray hat. And this was a case of confirmation bias. An officer made a determination that Mr. Abdi was the same person, was the—with the yellow shirt and gray hat, and everybody ran with it. It was just easier. And sure enough, Mr. Abdi was arrested and charged. Here we are.

Unfortunately, they have the wrong guy. This is yellow shirt and gray hat.

You've seen these photos. You've seen the video. That's the guy. This is the guy arrested, Mr. Ahmed Abdi. Mr. Ahmed Abdi, who was arrested, charged, and here he is. But these are different people. Take a close look at yellow shirt and gray hat. Look at the features of his face. Yellow shirt and gray hat has a pointy nose, narrow-set eyes, a pronounced cheekbone, no dimples, thin lips. Mr. Ahmed Abdi, has a round nose, wide-set eyes, soft cheekbone, large dimples, and full lips. They're different people, which makes this a case of mistaken identity.

Defense counsel also pointed out that no firearms or discharged bullet casings were found at the crime scene.

During deliberation, the jury asked to view the BWC footage of the second officer's prior interaction with Abdi in November 2023. The district court had earlier ruled that the previous BWC footage was inadmissible and, therefore, instructed the jury to come to a decision based on the record in front of them. The jury found Abdi guilty on Count 1—second-degree intentional murder; Count 2—second-degree unintentional murder; and Count 3—unlawful possession of a firearm. The district court sentenced Abdi to 386

months' imprisonment on Count 1, 60 months' imprisonment on Count 3, and reserved restitution for 60 days. The district court did not adjudicate Count 2.

This appeal follows.

DECISION

Appellate courts “will not reverse an evidentiary ruling absent a clear abuse of discretion.” *State v. Ali*, 855 N.W.2d 235, 249 (Minn. 2014). An abuse of discretion occurs when a district court “misapplies the law, makes findings unsupported by the record, or resolves discretionary questions in a manner that is contrary to logic and the facts on record.” *State v. Johnson*, 979 N.W.2d 483, 502 (Minn. App. 2022), *aff'd*, 995 N.W.2d 155 (Minn. 2023). “A defendant who claims the [district] court erred in admitting evidence bears the burden of showing the error and any resulting prejudice.” *State v. Kennedy*, 585 N.W.2d 385, 389 (Minn. 1998). “This court generally will not decide issues which were not raised before the district court, including constitutional questions of criminal procedure.” *Roby v. State*, 547 N.W.2d 354, 357 (Minn. 1996).

I. “Curly” Testimony

Abdi argues for the first time on appeal that admission of the first officer’s testimony regarding the nickname “Curly” was inadmissible because it was hearsay that violated his constitutional right to confrontation.³ Abdi’s counsel objected to the admission of any hearsay testimony in a blanket motion in limine before trial, and the district court ruled that

³ Hearsay is “a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.” Minn. R. Evid. 801(c). Hearsay is not admissible unless it falls into an exception set forth in the Minnesota Rules of Evidence. Minn. R. Evid. 802.

the defense could object as necessary during trial. The defense, however, did not object to any of the first officer's testimony during trial as either inadmissible hearsay or as a violation of Abdi's confrontation rights. *See State v. Rossberg*, 851 N.W.2d 609, 618 (Minn. 2014) (reasoning that a defendant's "exclusive focus" at trial on the residual hearsay exception indicated that "a Confrontation Clause challenge was not apparent from the context of the objection"). We therefore apply the plain-error standard of review. *See id.*; *see also State v. Myhre*, 875 N.W.2d 799, 804 (Minn. 2016) (stating that this court will review an unobjected-to error under the "plain error test"); *State v. Hull*, 788 N.W.2d 91, 100 (Minn. 2010) (applying plain-error to review Confrontation Clause issue when the objection at trial was on hearsay grounds and declining to consider the effect of a hearsay objection on the appropriate standard of review); *State v. Tscheu*, 758 N.W.2d 849, 863-64 (Minn. 2008) (applying plain-error standard of review to forfeited Confrontation Clause issue).

"In order to meet the plain error standard, a criminal defendant must show that (1) there was an error, (2) the error was plain, and (3) the error affected the defendant's substantial rights." *Id.* (citing *State v. Griller*, 583 N.W.2d 736, 740 (Minn. 1998)). We have noted that to satisfy the third element, a defendant must show prejudice that creates a reasonable likelihood that the error substantially affected the verdict. *State v. Strommen*, 648 N.W.2d 681, 688 (Minn. 2002) (citing *State v. Smith*, 582 N.W.2d 894, 896 (Minn. 1998)). If all three conditions are satisfied, we proceed to determine whether it is necessary to address the error to ensure the fairness and integrity of the judicial proceedings. *State v. Vick*, 632 N.W.2d 676, 685 (Minn. 2001) (citing *Griller*, 583 N.W.2d at 740).

Under the Confrontation Clauses of the United States and Minnesota Constitutions, a defendant has the right to confront witnesses against them. U.S. Const. amend. VI; Minn. Const. art. I, § 6. A defendant’s rights under the Confrontation Clause are violated when a court admits a statement and (1) “the statement in question was testimonial,” (2) “the statement was admitted for the truth of the matter asserted,” and (3) “the defendant was unable to cross-examine the declarant.” *State v. Sutter*, 959 N.W.2d 760, 765 (Minn. 2021) (quotation omitted).

Abdi cites *State v. Ramsey*, No. A23-1554, 2024 WL 4587915 (Minn. App. Oct. 28, 2024), to assert that the first officer’s testimony violated the Confrontation Clause because it was offered for the truth of the matter asserted.⁴ We note the similarities between this case and *Ramsey*; however, assuming the admission of the first officer’s testimony regarding the nickname “Curly” was plain error, Abdi still cannot prove that his substantial rights were violated because the state relied on additional identification testimony that removes any reasonable likelihood that the jury’s verdict would have been different if the “Curly” testimony had been excluded.

“The defendant has the burden of proof on the third element of the [plain-error] test, and it is considered a ‘heavy burden.’” *State v. Brown*, 815 N.W.2d 609, 620 (Minn. 2012) (quoting *Griller*, 583 N.W.2d at 741). An error affects substantial rights “if the error was prejudicial and affected the outcome of the case.” *Griller*, 583 N.W.2d at 741. An error is prejudicial “if there is a reasonable likelihood that the error substantially affected the

⁴ Nonprecedential opinions are not binding authority but may be used for persuasive value. Minn. R. Civ. App. P. 136.01, subd. 1(c).

verdict.” *Strommen*, 648 N.W.2d at 688. This is “the equivalent of a harmless error analysis.” *State v. Matthews*, 800 N.W.2d 629, 634 (Minn. 2011). When conducting a harmless-error analysis, we determine whether there is “a reasonable possibility that the wrongfully admitted evidence significantly affected the verdict.” *State v. Bigbear*, 10 N.W.3d 48, 55 (Minn. 2024) (quotation omitted). When “assessing whether an error is harmless, the question is not whether the other evidence was *sufficient* to support the conviction, but rather whether the error substantially influenced the verdict.” *Id.* at 54 (quotation omitted).

We consider several “[n]on-exclusive factors . . . to determine whether a reasonable possibility exists that the erroneously admitted evidence significantly affected the jury’s verdict.” *Id.* These factors include “(1) the manner in which the party presented the evidence, (2) whether the evidence was highly persuasive, (3) whether the party who offered the evidence used it in closing argument, and (4) whether the defense effectively countered the evidence.” *State v. Smith*, 940 N.W.2d 497, 505 (Minn. 2020). We also consider whether there is “[s]trong evidence of guilt” that “undermines the persuasive value of wrongly admitted evidence.” *Id.*

Manner Presented

The only evidence Abdi challenges here is the first officer’s testimony regarding the nickname “Curly.” In analyzing the first factor, we consider the relative number of transcript pages and whether the evidence was used throughout the state’s case. *Bigbear*, 10 N.W.3d at 56. The first officer’s contested testimony only takes up approximately half a page out of 475 pages of trial transcript. The only other time that the first officer’s

testimony is addressed is during the state's closing argument, addressed below. Therefore, this factor weighs in favor of the state.

Persuasiveness

Abdi argues that the first officer's testimony was persuasive because it was offered by a law-enforcement officer who the jury was likely to view as credible. Though a jury may give greater weight to law-enforcement testimony, here the defense counsel and district court reminded the jury throughout trial that it was the jury's responsibility to determine identity and that the officers' beliefs were not facts when determining identity. And because the jury is presumed to have followed that instruction, any alleged improper suggestion to the jury was mitigated. *See State v. Fardan*, 773 N.W.2d 303, 320 (Minn. 2009). Therefore, this factor weighs in favor of the state.

Closing Arguments

The prosecutor mentioned the first officer's testimony once during closing arguments, addressing it in what amounted to approximately two paragraphs of a 16-page closing argument. In addition, the district court reiterated during jury instructions that the remarks or arguments of the attorneys during trial are not evidence. "[T]he arguments or other remarks by an attorney are not evidence. If the attorneys or I have made or should make any statement as to what the evidence is, which differs from your recollection of the evidence, you should disregard the statement and rely solely on your own memory." And, as jurors are presumed to follow limiting instructions with respect to the proper use of evidence, *see id.*, and Abdi has not provided any reason to doubt that the jurors followed the instructions here, this factor weighs in favor of the state.

Effectively Countered

Abdi's entire defense at trial centered around denying the state's identification and his involvement in the shooting. During defense counsel's closing argument, counsel made extensive comments that it was up to the jury to decide the identity of the shooter, and the district court issued a limiting instruction regarding the issue of identity, stating that it was ultimately a decision of the jury to determine if Abdi was the one depicted in the surveillance footage, not based on the first officer's testimony about the nickname "Curly." *See State v. Segura*, 2 N.W.3d 142, 162-63 (Minn. 2024) (holding that a trial court's instructions to the jury are relevant in determining whether the jury was unduly influenced by potential improper prosecutor comments).

After hearing arguments from both sides, the jury still found Abdi guilty of all three counts. Therefore, this factor weighs in favor of the state.

Strong Evidence of Guilt

"Finally, overwhelming evidence of guilt is a factor, often a very important one, in determining whether . . . the error has no impact on the verdict." *Bigbear*, 10 N.W.3d at 59 (quotation omitted). "Strong evidence of guilt undermines the persuasive value of wrongly admitted evidence." *Id.* (citing *Smith*, 940 N.W.2d at 505). "This factor focuses *exclusively* on evidence of guilt." *Id.* at 60.

Here, the state offered strong evidence of guilt against Abdi. Abdi and victim J.H. had prior interactions before the offense, and J.H. was reportedly dating Abdi's ex-girlfriend at the time of the offense. During the course of their investigation, officers were able to identify four suspects, one of whom was Abdi, and obtained a picture of Abdi

that matched the male in the Milestone footage. The officer who had an hour-long interaction with Abdi in November 2023 was able to review his BWC footage from the interaction and communicate his belief that the man in the yellow jacket was in fact the same individual from the BWC footage. And, finally, the jury was able to observe photographic and video evidence of the offense and compare those with their own observations of Abdi while in the courtroom. Based on the totality of the circumstances that pointed to Abdi's guilt, this factor weighs in favor of the state.

In sum, Abdi did not "meet his burden of showing that there is a reasonable possibility that the wrongfully admitted evidence significantly affected the verdict. *Id.* (quotation omitted). Therefore, because we conclude that Abdi does not satisfy the plain-error test, we affirm the district court's ruling.

II. Surveillance Footage

Abdi argues that the testimonies of the first and second officers that he "closely matched" or was "indeed, the same person" as the man in the yellow jacket was improper opinion testimony because it likely influenced the jury. Abdi objected to the testimony at trial and now asserts that officers "may not testify to an opinion that the defendant committed the charged crimes."

"Evidentiary rulings rest within the sound discretion of the district court, and [this court] will not reverse an evidentiary ruling absent a clear abuse of discretion." *Ali*, 855 N.W.2d at 249. "A defendant who claims the [district] court erred in admitting evidence bears the burden of showing the error and any resulting prejudice." *Kennedy*, 585 N.W.2d at 389. Harmless error does not require reversal. *Bigbear*, 10 N.W.3d at 54. "Reversal is

warranted only when the error substantially influences the jury’s decision.” *State v. Nunn*, 561 N.W.2d 902, 907 (Minn. 1997).

Minnesota Rule of Evidence 701 allows a lay witness to provide “testimony in the form of opinions or inferences” so long as those opinions and inferences are “rationally based on the perception of the witness” or “helpful to a clear understanding of the witness’[s] testimony or the determination of a fact in issue” and are “not based on scientific, technical, or other specialized knowledge.” Lay-opinion testimony of a surveillance video’s contents may also be helpful to a jury when it is used to explain the context of a police investigation. *Ali*, 855 N.W.2d at 249-50.

This court has concluded in numerous nonprecedential decisions—albeit most often on plain-error review—that a police officer may testify as to their opinion and observations about surveillance footage.⁵

⁵ See, e.g., *State v. Williams*, No. A22-1573, 2024 WL 1044815, at *8-9 (Minn. App. Mar. 11, 2024) (concluding that the district court did not plainly err when it admitted detective testimony that a “person depicted in the security-camera video . . . was the same person who appear[ed] in [other] security-camera video” and that “the person depicted in both videos was [the defendant]”); *State v. Kasim*, No. 18-1322, 2019 WL 2415974, at *4-6 (Minn. App. June 10, 2019) (concluding that the district court did not plainly err when it admitted a police officer’s testimony asserting he thought, based on a picture of the defendant, that the defendant resembled a suspect seen in surveillance footage “because [the testimony] was rationally based on [the police officer’s] perception and helped the jury to understand his investigation”), *rev. denied* (Minn. Sept. 17, 2019); *State v. Clement*, No. A14-1646, 2015 WL 4393559, at *4-5 (Minn. App. July 20, 2015) (concluding that the district court did not plainly err when it admitted a police officer’s testimony “that he observed appellant concealing merchandise on [surveillance] video” and “that he observed nothing indicating that any other patron in the video should be considered a suspect” because the testimony “was rationally based on [the police officer’s] perception of the video, and was helpful to the jury’s clear understanding of his testimony regarding the investigation”), *rev. denied* (Minn. Oct. 20, 2015).

Abdi relies on *State v. Hogetvedt*, 623 N.W.2d 909, 915-16 (Minn. App. 2001), *rev. denied* (Minn. May 29, 2001), to assert that a police officer may not testify to their belief that the defendant committed the charged offense. However, as the state points out, that case is distinguishable. The officer in *Hogetvedt* testified that when the victim indicated to him that she was changing her mind and that it was not the appellant who assaulted her, he responded that he believed it was the appellant that assaulted her. *Id.* at 915. The officer there expressed his opinion that the appellant was guilty of the charged offense, after previously having been warned by the district court not to do so, which is not the case here. *Id.*

Here, the officers' testimony did not contain any legal analysis or a mixture of law and fact. Their testimonies were based on their own perceptions, were helpful to determine a fact at issue in trial (the identity of the male in the yellow jacket), and were not based on scientific, technical, or other specialized knowledge.

Abdi also argues that he was prejudiced by this testimony because it invaded the province of the jury and was therefore inadmissible. However, pursuant to Minn. R. Evid. 704, "[t]estimony in the form of an opinion or inference otherwise admissible is not objectionable because it embraces an ultimate issue to be decided by the trier of fact."

Comments to the rule also state:

Expert and lay witnesses will not be precluded from giving an opinion merely because the opinion embraces an ultimate fact issue to be determined by the jury. . . . In determining whether or not an opinion would be helpful or of assistance under these rules a distinction should be made between opinions as to factual matters, and opinions involving a legal analysis or

mixed questions of law and fact. Opinions of the latter nature are not deemed to be of any use to the trier of fact.

Minn. R. Evid. 704 1977 comm. cmt; *see also State v. DeWald*, 463 N.W.2d 741, 744 (Minn. 1990) (holding that an officer's opinion testimony that the defendant killed the victim was admissible because it was "factual rather than legal"). As noted above, the testimony from the officers did not involve legal conclusions or legal analysis and, therefore, we conclude that the district court properly exercised its discretion in this matter.

Affirmed.