

*This opinion is nonprecedential except as provided by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
A25-1529**

In the Matter of the Welfare of: A. Y. Q., Child.

**Filed March 30, 2026
Affirmed
Larkin, Judge**

Nobles County District Court
File No. 53-JV-25-83

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Considered and decided by Cochran, Presiding Judge; Larkin, Judge; and Smith, John, Judge.*

NONPRECEDENTIAL OPINION

LARKIN, Judge

In this appeal from the adjudication and disposition in a juvenile delinquency case, appellant argues that the evidence is insufficient to sustain the district court's underlying findings that he was guilty of second-degree assault and threats of violence. We affirm.

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

FACTS

In June 2025, the state filed a delinquency petition alleging that appellant A.Y.Q. made threats of violence and committed second-degree assault with a dangerous weapon, domestic assault, and fourth-degree damage to property. The victim was A.Y.Q.'s sister. The matter proceeded to a court trial.

The victim testified that she and A.Y.Q. lived in the same house. On the day in question, she was in a bedroom, and the bedroom door was locked. A.Y.Q. used a knife to pick the lock to the door and then entered the room. The victim got into an argument with A.Y.Q., and he smashed her iPad and hit her with a broom. When asked if A.Y.Q. did anything with the knife after entering the room, the victim testified that A.Y.Q. did not because their mother took the knife away. When asked if she told police that A.Y.Q. held the knife over his head, the victim testified that she was unsure if she had made such a statement.

An acquaintance of A.Y.Q. testified that he was on a group call and heard A.Y.Q. and the victim arguing. The acquaintance testified that the victim sounded frightened and that A.Y.Q. sounded angry and frustrated. The acquaintance called the police because the victim was screaming for help.

An officer testified that he responded to the residence to investigate a report of a juvenile male [who] was threatening somebody with a knife. The district court admitted the video recording from the officer's body-worn camera into evidence. That video showed the following events. The officer entered the residence and asked who had the knife. The victim pointed at A.Y.Q., and he said that he only used the knife to open a door.

The victim told the officer that A.Y.Q. always threatens her with a knife. When the officer questioned A.Y.Q. about the incident, he maintained that he used the knife only to pick the lock. When asked if the knife was a butter knife or kitchen knife, A.Y.Q. said it was a kitchen knife. The officer asked the victim if A.Y.Q. held the knife over his head and said that he was going to kill her, and the victim responded in the affirmative.

A second officer testified that he also responded to the residence to investigate a threat with a knife to a family member. The district court admitted the recording from the second officer's body-worn camera, as well as photographs that the second officer took of a broken broom. Those photographs show that the broom's handle was bent in two areas. The second officer's video showed the victim crying and say that A.Y.Q. was punching her and beating her with a broom. When asked about the knife, the victim made a stabbing motion and said that A.Y.Q. repeatedly told her he was going to kill her.

A social worker testified regarding statements that A.Y.Q. made to her about the incident. According to the social worker, A.Y.Q. said that his sister locked him out of a bedroom, so he used a knife to unlock the door, and once inside, he held the knife over the top of his sister.

A.Y.Q. testified in his own defense and denied threatening the victim with a knife. He testified that he only used a butter knife to pick the lock on the bedroom door. He admitted that he smashed the victim's iPad. He disputed the accuracy of the social worker's testimony and denied holding the knife over his head.

The district court found A.Y.Q. guilty as charged. As relevant here, the district court found that a butter knife qualifies as a dangerous weapon and that A.Y.Q.

intentionally caused the victim to fear that he was going to stab her by holding the knife above his head and threatening to kill her. The court adjudicated A.Y.Q. delinquent on all counts except threats of violence, which the court concluded is a lesser-included offense.

A.Y.Q. appeals.

DECISION

I.

A.Y.Q. contends that the evidence was insufficient to sustain the district court's finding that he was guilty of second-degree assault with a dangerous weapon.

We apply the same standard of review to bench trials and jury trials when evaluating whether the evidence was sufficient to sustain a guilty verdict. *State v. Palmer*, 803 N.W.2d 727, 733 (Minn. 2011). When considering a challenge to the sufficiency of the evidence, we “carefully examine the record to determine whether the facts and the legitimate inferences drawn from them would permit the [fact-finder] to reasonably conclude that the defendant was guilty beyond a reasonable doubt of the offense of which he was convicted.” *State v. Griffin*, 887 N.W.2d 257, 263 (Minn. 2016) (quotation omitted). We view the evidence in the light most favorable to the verdict and assume the fact-finder believed the state's witnesses and disbelieved contrary evidence. *Id.*; *State v. Moore*, 438 N.W.2d 101, 108 (Minn. 1989). We defer to the fact-finder's credibility determinations and will not reweigh the evidence on appeal. *State v. Franks*, 765 N.W.2d 68, 73 (Minn. 2009); *State v. Watkins*, 650 N.W.2d 738, 741 (Minn. App. 2002). We will not disturb a guilty verdict if the fact-finder, acting with due regard for the presumption of innocence and requirement of proof beyond a reasonable doubt, could reasonably have

concluded that the state proved the defendant’s guilt. *Bernhardt v. State*, 684 N.W.2d 465, 476-77 (Minn. 2004).

But if the state relied on circumstantial evidence to prove an element of an offense, we apply a heightened standard of review. *See State v. Firkus*, ___ N.W.3d ___, ___, 2026 WL 517248, at *5 (Minn. Feb. 25, 2026) (stating that we apply a circumstantial-evidence standard if the state relies solely on circumstantial evidence to prove the elements of premeditation or intent to kill); *State v. Harris*, 895 N.W.2d 592, 601-03 (Minn. 2017) (applying circumstantial-evidence standard to individual element of criminal offense that was proved by circumstantial evidence). Circumstantial evidence is “evidence from which the [fact-finder] can infer whether the facts in dispute existed or did not exist.” *Harris*, 895 N.W.2d at 599 (quotation omitted).

The district court found A.Y.Q. guilty of violating Minn. Stat. § 609.222, subd. 1 (2024), which criminalizes assaulting “another with a dangerous weapon.” The term “dangerous weapon” is defined to include “any device designed as a weapon and capable of producing death or great bodily harm.” Minn. Stat. § 609.02, subd. 6 (2024). The term “great bodily harm” is defined as “bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.” *Id.*, subd. 8 (2024). The term “assault” is defined as “an act done with intent to cause fear in another of immediate bodily harm or death” or “the intentional infliction of or attempt to inflict bodily harm upon another.” *Id.*, subd. 10 (2024).

There is no evidence that A.Y.Q. used the knife to inflict or attempt to inflict bodily harm on the victim. Instead, the evidence suggests that he used the knife to intentionally inflict fear of immediate bodily harm or death. Intent is typically “proven with circumstantial evidence.” *State v. Irby*, 967 N.W.2d 389, 396 (Minn. 2021). In assessing intent, a fact-finder may infer that a person intends the natural and probable consequences of his actions. *Id.*

Because A.Y.Q.’s intent was proved with circumstantial evidence, we apply the circumstantial-evidence standard of review. *See State v. Al-Naseer*, 788 N.W.2d 469, 471 (Minn. 2010) (stating that “the heightened scrutiny applies to any disputed element of the conviction that is based on circumstantial evidence”); *Palmer*, 803 N.W.2d at 733 (indicating that an appellate court applies the same standard of review to bench trials and jury trials, even if the guilty verdict was based on circumstantial evidence). Under that standard, we first “‘winnow down the evidence presented at trial by resolving all questions of fact in favor of the [fact-finder’s] verdict,’ which results in ‘a subset of facts that constitute the circumstances proved.’” *Firkus*, 2026 WL 517248, at *5 (quoting *Harris*, 895 N.W.2d at 601). Again, we defer to the fact-finder’s credibility determinations and will not reweigh the evidence. *Harris*, 895 N.W.2d at 599-601; *Franks*, 765 N.W.2d at 73.

Next, we determine “whether the circumstances proved are consistent with guilt and inconsistent with any rational hypothesis other than guilt.” *Loving v. State*, 891 N.W.2d 638, 643 (Minn. 2017) (quotation omitted). We do not defer to the fact-finder’s choice between reasonable inferences. *State v. Silvernail*, 831 N.W.2d 594, 599 (Minn. 2013).

And we will not reverse a conviction based on circumstantial evidence unless there is a reasonable inference other than guilt. *Loving*, 891 N.W.2d at 643.

Here, the circumstances proved are as follows:

- A.Y.Q. got into an argument with the victim.
- A.Y.Q. picked the lock to the room where the victim was located.
- A.Y.Q. smashed the victim's iPad.
- A.Y.Q. repeatedly hit the victim with a broom, causing the broom to break.
- The victim was afraid of A.Y.Q., and A.Y.Q. was angry.
- A.Y.Q. held a knife over his head and threatened to kill the victim.
- Two police officers went to the residence to investigate a report that a juvenile male had threatened someone with a knife.
- The victim told the officers that A.Y.Q. had threatened her with the knife.

These circumstances are consistent with A.Y.Q.'s guilt. A.Y.Q. argues that the circumstances are also consistent with a rational hypothesis other than guilt: that he used the knife only to open the door. A.Y.Q. emphasizes that the victim's testimony was inconsistent with her statements to the police officers who responded to the 911 call. Although the victim's testimony may have been inconsistent with her statements to the police, the district court was free to reject the victim's in-court testimony and accept the victim's out-of-court statements, which were recorded on the officers' body cameras and

admitted as evidence at trial.¹ *See State v. Johnson*, 568 N.W.2d 426, 436 (Minn. 1997) (stating that a jury may accept part and reject part of a witness’s testimony); *State v. Pieschke*, 295 N.W.2d 580, 584-85 (Minn. 1980) (holding that the evidence was sufficient to convict based on the out-of-court statements of two recanting witnesses).

The district court made detailed credibility determinations in its posttrial findings of fact. The court found the victim’s testimony regarding A.Y.Q.’s actions unreliable. The court instead credited the victim’s statements to the responding officers at the scene. In those statements, the victim said that A.Y.Q. threatened to kill her while holding a knife over his head. The court expressly credited the social worker’s testimony that A.Y.Q. admitted that he held the knife over the top of the victim. Finally, the court expressly discredited A.Y.Q.’s testimony that he did not threaten the victim with the knife.

A.Y.Q.’s alternative hypothesis of innocence effectively asks us to disregard the district court’s clearly articulated credibility determinations and, therefore, the circumstances proved. Again, in determining the circumstances proved, we disregard evidence that is inconsistent with the verdict, such as A.Y.Q.’s testimony that he never threatened the victim with the knife. *See Firkus*, 2026 WL 517248, at *5-6; *Harris*, 895 N.W.2d at 600-01. And because the evidence is conflicting, we defer to the fact-finder’s credibility determinations, recognizing that the fact-finder “is free to accept part and reject part of a witness’s testimony.” *Harris*, 895 N.W.2d at 600 (quotation omitted). Those determinations establish that A.Y.Q. threatened the victim with the knife. That

¹ A.Y.Q. does not assign error to the district court’s admission of the body-worn camera videos or to the admission of the victim’s out-of-court statements in those videos.

circumstance is inconsistent with any rational hypothesis other than guilt. Thus, the evidence was sufficient to sustain the guilty verdict for second-degree assault with a dangerous weapon.

II.

A.Y.Q. also contends that the circumstantial evidence was insufficient to sustain the district court's finding of guilt for the threats-of-violence charge. We do not consider this issue because the district court did not adjudicate A.Y.Q. delinquent on the threats-of-violence offense. *See State v. Metcalfe*, 13 N.W.3d 704, 711 n.2 (Minn. App. 2024) (refusing to consider sufficiency of the evidence for threats-of-violence count where defendant "was never formally adjudicated for that offense"); *see also State v. Ashland*, 287 N.W.2d 649, 650 (Minn. 1979) ("We need not decide whether the evidence also was sufficient to support convictions on the other two counts, the ones involving severe mental anguish, because defendant was not sentenced for either of them and the prosecutor concedes that defendant was never formally adjudicated guilty of these two counts.").

Affirmed.