

*This opinion is nonprecedential except as provided by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
A25-1612, A26-0033**

In the Marriage of:

Robert Raymond Jackson, petitioner,
Respondent,
Appellant (A26-0033),

vs.

Kadi Beth Jackson,
Appellant (A25-1612),
Respondent.

**Filed August 24, 2026
Affirmed in part, reversed in part, and remanded; motion granted
Smith, Tracy M., Judge**

Scott County District Court
File No. 70-FA-19-5499

Robert Raymond Jackson, Prior Lake, Minnesota (self-represented respondent, appellant (A26-0033))

m boulette, boulette PLLC, Minneapolis, Minnesota (for appellant (A25-1612), respondent)

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

NONPRECEDENTIAL OPINION

SMITH, TRACY M., Judge

These two consolidated appeals arise out of a parenting dispute. In appellate file No. A25-1612, mother Kadi Beth Jackson appealed from an order of the district court filed

in August 2025, arguing that the district court abused its discretion by not granting her a remedy for missed parenting time and erred by ruling that her motion to modify custody was time-barred. In appellate file No. A25-0033, self-represented father Robert Raymond Jackson appealed an order of the district court filed in December 2025, arguing that the district court erred by limiting the development of the record and failing to properly evaluate his arguments against mother's motion to designate him as a frivolous litigant.

We conclude that (1) Mother's arguments that, on the merits, the district court erred by not granting her compensatory parenting time are not properly before us; (2) the district court did not err by reserving mother's motion for compensatory parenting time; (3) the district court erred by denying, without explanation, mother's request for other remedies for interference with parenting time, making remand appropriate; (4) the district court erred by concluding that that mother's motion to modify custody was time-barred based on a rationale that did not apply to her motion, making remand appropriate; (5) father's challenges to the August 2025 order are not properly before us because he did not file a notice of related appeal with respect to that order; and (6) the district court did not procedurally err when it designated father a frivolous litigant. We therefore affirm in part, reverse in part, and remand. We also grant mother's motion to strike portions of father's reply brief.

FACTS

The parties have three minor children together: L.R.J. (born in 2010), B.P.J. (born in 2012), and H.B.J. (born in 2015). In July 2020, the parties' marriage was dissolved via

a stipulated judgment and decree (the J&D). The J&D awarded the parties joint legal and joint physical custody of the three children and equal parenting time.

Since the J&D, both parties have brought multiple motions to modify custody or parenting time. In December 2023, mother filed an ex parte motion seeking temporary sole legal and sole physical custody of all three children. The district court denied the motion but later granted mother temporary sole legal and sole physical custody and suspended father's parenting time after an incident in which father tried to drive with the children while he was intoxicated. In March 2024, the district court vacated its suspension of father's parenting time. In April, father filed an affidavit asking the district court to grant him sole legal and sole physical custody and to suspend mother's parenting time. In June, the district court filed an order directing the parties to resume the parenting-time schedule agreed to in the J&D. After an evidentiary hearing, the district court, in a December 2024 order, denied father's motion to grant him sole legal and sole physical custody and adopted a reunification schedule agreed to by the parties.

In April 2025, father filed motions for sole physical custody and full parenting time of L.R.J. and B.P.J. Father filed a supporting affidavit in which he alleged that L.R.J. and B.P.J. had been living with him for the previous year because they were afraid of mother and her new husband. Father also alleged that mother told L.R.J. and B.P.J. that they did not need to live with her and that mother made no efforts to have them stay at her home.

In June 2025, mother filed a responsive motion and countermotion, asking the district court to hold father in contempt and to award her permanent sole legal and sole physical custody of all three children, temporary suspension of father's parenting time,

compensatory parenting time, a fine on father for interfering with parenting time, and attorney fees and costs. She also filed a supporting affidavit in which she disputed father's allegations and alleged that father had been lying to L.R.J. and B.P.J. to turn them against her. Mother also alleged that father refused to cooperate with the parenting-time schedule or require the children to follow it.

In August, after a motion hearing, the district court filed its order on the parties' motions (the August 2025 order). The district court denied both parties' motions to modify custody as time-barred. It denied father's motion to modify parenting time and mother's motion for contempt and sanctions. And it reserved the issue of mother's request for compensatory parenting time.¹ Mother appealed the August 2025 order.

In October 2025, father filed a motion for "clarification, correction and procedural fairness" and an emergency motion for "temporary custody and immediate stay." Mother moved to designate father as a frivolous litigant. In December, after a motion hearing, the district court filed an order finding father to be a frivolous litigant (the December 2025 order).

Father appealed the December 2025 order. We consolidated the two appeals.

DECISION

In her appeal, mother challenges the August 2025 order, arguing that the district court erred by not granting her compensatory parenting time for father's alleged

¹ The August 2025 order also resolved other motions regarding child support, payment of therapy costs, a vocational assessment, dependent status for taxes, and a change in therapists. None of these decisions are at issue on appeal.

interference with her parenting time; by reserving the issue of compensatory parenting time; by denying her requests for costs, fees, and sanctions for father's alleged repeated and intentional interference with her parenting time; and by determining that her motion to modify custody was time-barred. In his response, father raises several arguments challenging the August 2025 order. In his appeal, father challenges the December 2025 order, arguing that the district court limited the development of the record and thereby prevented full evaluation of his arguments. In father's appeal, mother filed a motion with this court to strike portions of father's reply brief. We address the issues in turn.

I. Mother's arguments that, on the merits, the district court erred by not granting her compensatory parenting time are not properly before us.

Mother argues that the district court erred by not granting her compensatory parenting time under Minnesota Statutes section 518.175, subdivision 6 (2024).

Section 518.175, subdivision 6, sets out remedies for failure to follow a court's orders regarding parenting time. It states, "If the court finds that a person has been deprived of court-ordered parenting time . . . , the court shall order the parent who has interfered to allow compensatory parenting time to the other parent." Minn. Stat. § 518.175, subd. 6(d). If the district court finds that the denial or interference has been done "repeatedly and intentionally," the statute provides for other harsher remedies, including reimbursement of costs, attorney fees, and a sanction of up to \$500. *Id.*, subd. 6(e).

The district court here did not address whether mother had been deprived of parenting time. Instead, it stated in its order that the issue of compensatory parenting time was reserved. "A reviewing court generally must consider only those issues that the record

shows were presented and considered by the trial court in deciding the matter before it.” *Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988) (quotation omitted). Because the district court reserved, and therefore did not address, mother’s request for compensatory parenting time, mother’s arguments that the district court should have found that father interfered with her parenting time and that she is entitled to compensatory parenting time are not properly before us.

Arguing otherwise, mother asserts that the district court’s reservation of the compensatory-parenting-time issue was effectively a denial of her request because the district court gave no indication as to when it would rule. In support of her argument, mother cites *Wingad v. Wingad*, a nonprecedential special-term order by this court. No. A24-0137, 2024 WL 886620, at *2 (Minn. App. Feb. 27, 2024).² But that order held that the district court’s reservation of the issue of attorney fees in an order did not make the rest of the order unappealable. *Id.* Mother cites no cases for the proposition that a district court’s reservation of an issue makes the merits of that issue reviewable.

Mother also argues that the district court’s reservation of the issue was akin to “silence,” which can be treated as an implicit denial. *See Palladium Holdings, LLC v. Zuni Mortg. Loan Tr. 2006-OA1*, 775 N.W.2d 168, 177-78 (Minn. App. 2009), *rev. denied* (Minn. Jan. 27, 2010). But the district court was not silent on the issue. Rather, it explicitly acknowledged the issue and stated that it was “reserved.”

² We cite this case only to discuss its potential persuasive value because orders of the special term panel “have no precedential value.” *State v. Russell*, 481 N.W.2d 148, 150 (Minn. App. 1992).

Mother's arguments that, on the merits, the district court erred by not granting her compensatory parenting time are not properly before us, and we decline to address them.

II. The district court did not err by reserving mother's request for compensatory parenting time.

Mother argues that the district court erred by reserving the issue of compensatory parenting time because it did not "fully consider" her request based on "all relevant evidence," as required by section 518.175, subdivision 6(c). That provision states:

The court shall fully consider providing compensatory parenting time when a parent has intentionally made a substantial amount of court-ordered parenting time unavailable to the other parent unless providing the compensatory parenting time is not consistent with the child's best interests. The court must consider all relevant evidence to determine whether a parent has made a substantial amount of court-ordered parenting time unavailable to the other parent.

A district court's application of law is a question that appellate courts review de novo. *Harlow v. State, Dep't of Hum. Servs.*, 883 N.W.2d 561, 568 (Minn. 2016). Section 518.175, subdivision 6(c), only requires the district court to "fully consider providing compensatory parenting time when a parent has intentionally made a substantial amount of court-ordered parenting time unavailable to the other parent." Thus, compensatory parenting time is a remedy that the court must consider *after* finding that a parent has intentionally interfered with parenting time. The district court has not yet addressed this issue or made such a finding. Mother's argument that the district court failed to follow the statute is therefore unavailing.

Mother also notes that Minnesota Statutes section 518.175, subdivision 6(d)(2), requires a parent that is awarded compensatory parenting time to take the compensatory

time within one year of the deprivation, which she asserts makes the district court's indefinite reservation of the issue "problematic." But mother points to no part of the statute or caselaw that requires the district court to decide the issue rather than reserve it. We conclude that the district court had discretion to reserve the issue of compensatory parenting time, and we presume that it will appropriately address it in the future. *See Prahl v. Prahl*, 627 N.W.2d 698, 703 (Minn. App. 2001) (noting that whether to reserve jurisdiction over the issue of maintenance is within the district court's discretion); *Olson v. Olson*, 392 N.W.2d 338, 341 (Minn. App. 1986) (affirming the district court's reservation of issues related to property division).

Mother has not shown error in the district court's decision to reserve the issue.

III. The August 2025 order does not permit meaningful appellate review of the denial of mother's requests for costs, fees, and sanctions for interference with parenting time.

Mother argues that the district court erred by denying her request for costs, fees, and sanctions for repeated and intentional interference with her parenting time.

As explained above, section 518.175, subdivision 6, provides for the award of costs, attorney fees, and sanctions if the district court finds that a person's denial of or interference with parenting time has been done "repeatedly and intentionally." Mother moved for those remedies, alleging repeated and intentional interference. Unlike mother's request for compensatory parenting time, the district court did not reserve this issue; instead, it denied her requests.³ The issue is therefore properly before us.

³ In the order, the district court stated that "Mother's motion for contempt and/or other sanctions against Father is **DENIED**." The district court did not expressly address the

Although the issue is properly before us, the August 2025 order does not permit meaningful appellate review because the district court did not provide the reasons for denying the requested remedies. A district court “must identify both its decision” and “the underlying reason(s) for that decision.” *Hagen v. Schirmers*, 783 N.W.2d 212, 217 (Minn. App. 2010). A district court’s failure to address the reasoning for its decision is error. *Id.* at 218. And, if an order “does not identify the facts that the district court has determined to be true and the facts on which the district court’s decision is based,” the order does not permit meaningful appellate review and is subject to reversal. *In re Civ. Commitment of Spicer*, 853 N.W.2d 803, 811 (Minn. App. 2014); *see also Stich v. Stich*, 435 N.W.2d 52, 53 (Minn. 1989) (reversing because the district court’s findings were “insufficient to enable an appellate court to determine whether the trial court properly considered the [statutory] requirements”). The August 2025 order contains no findings regarding whether father interfered with mother’s parenting time or whether he did so repeatedly and intentionally and provides no reasons for denying mother’s requests for costs, attorney fees, and sanctions.

Because the August 2025 order does not permit meaningful appellate review, we reverse the denial of mother’s requests for costs, fees, and sanctions and remand for the district court to either explain the denial or reserve the issue. The district court may reopen the record in its discretion.

requested fees or costs but stated that “[a]ny other relief not expressly granted herein is **DENIED.**”

IV. The district court abused its discretion by determining that mother’s custody-modification motion was time-barred.

Mother argues that the district court abused its discretion by determining that her motion to modify custody under Minnesota Statutes section 518.18 (2024) was time-barred.

Appellate courts review the denial of a custody-modification motion for an abuse of discretion. *Medvedovski v. Medvedovski*, 903 N.W.2d 646, 649 (Minn. App. 2017). “A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record.” *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quotation omitted).

Minnesota Statutes section 518.18(b) provides a time bar against subsequent motions to modify custody in certain circumstances, stating:

If a motion for modification [of a custody order or parenting plan] has been heard, whether or not it was granted, unless agreed to in writing by the parties no subsequent motion may be filed within two years after disposition of the prior motion on its merits, except in accordance with paragraph (c).

Paragraph (c) of section 518.18 provides an exception to this rule when the district court (1) “finds that there is persistent and willful denial or interference with parenting time” or (2) “has reason to believe that the child’s present environment may endanger the child’s physical or emotional health or impair the child’s emotional development.” For an otherwise time-barred custody-modification motion to proceed, “the accompanying affidavit must allege facts showing that [the] respondent persistently denied visitation or

that the children are endangered by placement with [the] respondent.” *Smith v. Smith*, 508 N.W.2d 222, 227 (Minn. App. 1993); *see also Medvedovski*, 903 N.W.2d at 650.⁴

Here, within two years of the district court’s December 2024 order denying father’s motion to modify custody, mother moved to modify custody. In the August 2025 order denying mother’s motion as time-barred, the district court began by discussing father’s argument that *his* pending motion to modify custody met the time-bar exception. Father contended that the time-bar exception for a “denial of parenting time” under section 518.18(c) applied because mother had failed to exercise her parenting time, resulting in a “denial of parenting time.” The district court rejected that argument, concluding that the “denial of parenting time” does not mean a failure to exercise one’s own parenting time but instead “refers to one parent’s refusal to allow the other parent to exercise their parenting time.” The district court then stated, “Mother’s motion to modify custody is also time-barred for the reasons discussed above.” It did not discuss mother’s motion any further.

Mother argues that the district court erred by determining that her request was time-barred because she adequately alleged both exceptions to the time bar—willful denial or interference with parenting time as well as endangerment. *See* Minn. Stat. § 518.18(c). But we need not address the adequacy of mother’s allegations because the district court never

⁴ The requirement here is distinct from the requirement that a movant allege facts showing a *prima facie* case for custody modification. If the motion meets the exception to the time-bar, then the district court can consider whether there is a *prima facie* case on the merits. *See Davis v. Davis*, 418 N.W.2d 746, 748 (Minn. App. 1988) (concluding that a motion showed a *prima facie* case in order to meet the time-bar exception but leaving for the trial court the issue of “[w]hether the underlying facts justify a modification in custody”).

reached that question. Instead, it determined that mother's motion was time-barred for the same reasons as father's motion. That was error. The district court rejected father's motion because he did not allege "one parent's refusal to allow the other parent to exercise their parenting time." But mother *did* make such an allegation. Thus, mother's motion could not fail for the same reasons as father's, and the district erred by denying her motion on that basis.

As a result, we reverse the denial of mother's motion to modify custody as time-barred and remand for the district court to consider whether mother's motion meets either of the exceptions to the time bar under section 518.18(c) and to proceed accordingly. The district court may reopen the record in its discretion.

V. Father's challenges to the August 2025 order are not properly before this court because he did not file a notice of related appeal.

Father challenges the denial of his motion to modify parenting time in the August 2025 order, arguing that the district court erred by (1) failing to make findings sufficient for meaningful appellate review, (2) relying on expert testimony despite other conflicting testimony, (3) failing to analyze the children's current living arrangement in more detail, and (4) modifying custody without addressing the statutory framework.

Father's challenges to the August 2025 order are not properly before us because he neither appealed that order nor filed a notice of related appeal in mother's appeal of the order. To preserve his arguments as a respondent in mother's appeal, father was required under Rules 106 and 103.02, subdivision 2, of the Minnesota Rules of Civil Appellate Procedure to file a notice of related appeal. "[A] notice of related appeal is required to

‘obtain review of a judgment or order entered in the same underlying action that may adversely affect respondent.’” *City of Rochester v. Kottschade*, 896 N.W.2d 541, 545 n.3 (Minn. 2017) (quoting Minn. R. Civ. App. P. 106). “Although some accommodations may be made for pro se litigants, we have 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).

Because father’s challenges to the August 2025 order are not properly before us, we decline to address them.

VI. The district court did not err by limiting the development of the record regarding whether father is a frivolous litigant.

In his appeal from the December 2025 order, father challenges the district court’s designation of him as a frivolous litigant. He argues that the district court erred by limiting the development of the record and thus preventing full evaluation of his arguments.⁵

Rule 9 of the Minnesota General Rules of Practice provides for the designation of a party as a frivolous litigant. At a hearing on a frivolous-litigant motion, the district court “shall consider such evidence, written or oral, by witnesses or affidavit, as may be material to the ground of the motion.” Minn. Gen. R. Prac. 9.02(a). In determining whether to require security from, or impose sanctions on, a frivolous litigant, the district court must consider seven factors:

⁵ For the first time in his reply brief, father makes additional arguments challenging the finding that he is a frivolous litigant. As discussed below, we grant mother’s motion to strike these portions of the brief and decline to consider arguments from father that he did not raise in his principal brief.

(1) the frequency and number of claims pursued by the frivolous litigant with an adverse result;

(2) whether there is a reasonable probability that the frivolous litigant will prevail on the claim, motion, or request;

(3) whether the claim, motion, or request was made for purposes of harassment, delay, or vexatiousness, or otherwise in bad faith;

(4) injury incurred by other litigants prevailing against the frivolous litigant and to the efficient administration of justice as a result of the claim, motion, or request in question;

(5) effectiveness of prior sanctions in deterring the frivolous litigant from pursuing frivolous claims;

(6) the likelihood that requiring security or imposing sanctions will ensure adequate safeguards and provide means to compensate the adverse party;

(7) whether less severe sanctions will sufficiently protect the rights of other litigants, the public, or the courts.

Minn. Gen. R. Prac. 9.02(b).

Mother moved the district court to designate father as a frivolous litigant. On November 12, 2025, the district court held a motion hearing in which mother's counsel and self-represented father argued the motion. The district court then filed the December 2025 order finding father to be a frivolous litigant.

Father maintains that his arguments and evidence on this issue were not fully developed because he never received the chance to argue about the seven factors. But father had ample time to argue his case and spent significant time during the hearing discussing the merits of his filings and disputing that he is a frivolous litigant. At the conclusion of his argument, father asked the district court, "Would you like me quickly to go through the frivolous criteria, or did I do that sufficiently?" The district court responded that father had sufficiently covered it, and father did not object or request additional time. Moreover, the

district court's December 2025 order contains detailed findings on father's submissions and a thorough discussion of the seven factors.

Father has not shown that that the district court procedurally erred in connection with the frivolous-litigant motion hearing.

VII. Mother's motion to strike sections of father's reply brief is granted.

Finally, we address mother's motion to strike certain sections of father's reply brief in his appeal because they contain discussion of issues beyond those in father's principal brief.

Generally, issues not raised or argued in appellant's principal brief cannot be raised in a reply brief. *Moorhead Econ. Dev. Auth. v. Anda*, 789 N.W.2d 860, 887 (Minn. 2010). Rule 128.02 confines a reply brief to "new matter raised in the brief of the respondent." Minn. R. Civ. App. P. 128.02, subd. 3. Arguments raised in a reply brief that were not raised in the appellant's principal brief and exceed the scope of the respondent's brief "may be stricken from the reply brief." *Wood v. Diamonds Sports Bar & Grill, Inc.*, 654 N.W.2d 704, 707 (Minn. App. 2002), *rev. denied* (Minn. Feb. 26, 2003).

In father's reply brief, he raises several issues regarding the merits of the frivolous-litigant determination in the December 2025 order, including the district court's failure to make certain findings, the sufficiency of the findings to sustain the decision, and the availability of less severe sanctions. These issues were not discussed in father's principal brief, nor did mother discuss any such issue in her respondent's brief.

Accordingly, we grant mother's motion to strike sections II through IV of father's reply brief in his appeal.

* * *

To summarize the dispositions in these appeals, in mother's appeal challenging the August 2025 order, No. A25-1612, we affirm in part, reverse in part, and remand. Specifically, we do not address mother's challenge regarding compensatory parenting time because it is not properly before us; we reverse and remand the issue of the denial of other remedies for alleged interference with parenting time because the order does not permit meaningful appellate review; we reverse and remand the issue of the rejection of mother's motion to modify custody as time-barred because the district court erred and did not properly address whether an exception applies; and we decline to consider father's challenges to the order because he did not file a notice of related appeal. In father's appeal challenging the December 2025 order, No. A26-0033, we affirm, and we grant mother's motion to strike portions of father's reply brief.

Affirmed in part, reversed in part, and remanded; motion granted.