

*This opinion is nonprecedential except as provided by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
A25-1619**

State of Minnesota,
Respondent,

vs.

Andreas Jeffrey Joyner,
Appellant.

**Filed August 10, 2026
Affirmed
Larkin, Judge**

Meeker County District Court
File No. 47-CR-24-794

Keith Ellison, Attorney General, Jacob Campion, Assistant Attorney General, St. Paul, Minnesota; and

Brandi Schiefelbein, Meeker County Attorney, Litchfield, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Sean Michael McGuire, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Bratvold, Presiding Judge; Larkin, Judge; and Reyes, Judge.

NONPRECEDENTIAL OPINION

LARKIN, Judge

Appellant challenges his conviction for misdemeanor assault, arguing that the evidence was insufficient to sustain the jury's guilty verdict and that the district court abused its discretion by admitting the victim's recorded out-of-court statements. Because

the direct evidence was sufficient to sustain the verdict and the alleged evidentiary error was harmless, we affirm.

FACTS

In September 2024, respondent State of Minnesota charged appellant Andreas Jeffrey Joyner with one count of felony domestic assault by strangulation, one count of misdemeanor domestic assault based on intent to cause fear (domestic assault-fear), and one count of misdemeanor domestic assault based on infliction of, or an attempt to inflict, bodily harm (domestic assault-harm).

According to the allegations in the complaint, a police officer was dispatched to a residence based on a report of domestic assault. Specifically, the caller reported that he heard screaming coming from outside and inside the residence. Upon arrival, the responding officer overheard a raised female voice coming from an open window stating, “you hurt me,” “[y]ou beat the hell out of me tonight,” and “[y]ou almost choked me tonight.” These statements were recorded by the officer’s body-worn camera. During the ensuing investigation, the officer determined that it was the victim’s voice and that she was yelling at Joyner.

The officer spoke with Joyner separately. The officer’s body-worn camera recorded the conversation. During that conversation, Joyner admitted that he and the victim had been arguing, that he was trying to get the victim to quiet down, that he pushed the victim onto a bed, that he attempted to restrain the victim by grabbing her shoulders, that he tried to push a “pressure point” on her back, and that he would do it again. The recording also showed Joyner demonstrate how he tried to restrain the victim and his intended effect.

Joyner pleaded not guilty to the charges, and the matter was set for trial. Before trial, the state moved to admit the victim's recorded out-of-court statements that the responding officer heard through the open window. Joyner opposed the motion, but the district court ruled that the statements were admissible.

At the ensuing jury trial, the state called two witnesses: the responding officer and the neighbor who reported the incident. Both testified that they heard screaming coming from the residence where Joyner and the victim lived. The officer also testified that, when he interviewed the victim at the scene, he observed a mark on her neck. The state introduced the recording of the victim's out-of-court statements over Joyner's objection. The state also introduced the recording of Joyner's statements to the police and his demonstration of how he tried to restrain the victim.

The jury acquitted Joyner of felony domestic assault by strangulation and misdemeanor domestic assault-fear. But the jury found Joyner guilty of misdemeanor domestic assault-harm. The district court entered judgment of conviction and sentenced Joyner to 90 days in jail with credit for time served and the remaining sentence stayed for two years.

Joyner appeals.

DECISION

I.

Joyner contends that the evidence was insufficient to sustain the jury's finding of guilt. Traditionally, when considering a challenge to the sufficiency of the evidence, we "must ascertain whether, given the facts in the record and the legitimate inferences that can

be drawn from those facts, a jury could reasonably conclude that the defendant was guilty of the offense charged.” *State v. Jones*, 4 N.W.3d 495, 501-02 (Minn. 2024) (quotation omitted). We view the evidence in the light most favorable to the verdict and assume the fact-finder disbelieved evidence that conflicted with the verdict. *State v. Griffin*, 887 N.W.2d 257, 263 (Minn. 2016). We defer to the jury’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 jury, 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. *Jones*, 4 N.W.3d at 502.

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. Harris*, 895 N.W.2d 592, 601-03 (Minn. 2017) (applying heightened standard to individual element of criminal offense that was proved by circumstantial evidence); *State v. Firkus*, 31 N.W.3d 468, 478 (Minn. 2026) (reiterating our long-standing circumstantial-evidence test). 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 parties disagree regarding which standard of review applies here. Joyner argues that the heightened standard applies because the case was proved with circumstantial evidence. He provides a cursory application of that standard and does not alternatively apply the traditional standard, even though the state argues that all the elements of the offense were proved with direct evidence. Because the direct evidence was sufficient to

support the jury’s guilty verdict—specifically, Joyner’s recorded statements to the responding officer and the responding officer’s observation of a mark on the victim’s neck—we apply the traditional standard of review. *See Jones*, 4 N.W.3d at 500 (stating that “when a disputed element is sufficiently proven by direct evidence alone it is the traditional standard, rather than the circumstantial-evidence standard, that governs”) (quotation omitted)).

Joyner was convicted of misdemeanor domestic assault-harm under Minn. Stat. § 609.2242, subd. 1(2) (2024). Under that statute, a person is guilty of a domestic assault-harm if that person “intentionally inflicts or attempts to inflict bodily harm upon another.” Minn. Stat. § 609.2242, subd. 1(2). Bodily harm “means physical pain or injury, illness, or any impairment of physical condition.” Minn. Stat. § 609.02, subd. 7 (2024).

“Assault-harm is a general intent crime.” *State v. Lampkin*, 994 N.W.2d 280, 291 (Minn. 2023). It requires “an intent to do the prohibited physical act of committing a battery.” *State v. Dorn*, 887 N.W.2d 826, 830 (Minn. 2016) (quotations omitted). Although the state must prove that the defendant intended to do the prohibited physical act, the state “does not need to prove that he meant to or knew that he would violate the law or cause a particular result.” *Lampkin*, 994 N.W.2d at 291 (quotation omitted). Thus, the state can satisfy the mens rea element of the assault-harm statute by proving that the defendant’s “application of force to [the victim] was not done accidentally or involuntarily.” *Id.* (quotation omitted).

The supreme court has stated that the state can satisfy the actus reus element of the assault-harm statute by showing that “the defendant engaged in nonconsensual physical

contact.” *Dorn*, 887 N.W.2d at 831-32. Again, the assault-harm statute requires the “infliction” of bodily harm. The *Dorn* court, relying on dictionary definitions, defined “inflict” as “to lay (a blow) on or cause (something damaging or painful) to be endured,” and as “[t]he act or process of imposing or meting out something unpleasant.” *Id.* at 832 (quotations omitted).

Joyner agrees that the state had to prove that he “committed a nonconsensual physical contact, inflicting some minimal physical pain or injury, illness or any impairment” of the victim’s physical condition. But he asserts that “[t]here was no direct evidence of any assault.” As support, Joyner argues that the responding officer did not observe signs that he “beat the hell out of” the victim and that because the victim was intoxicated and angry with Joyner, it is possible that “she was exaggerating, or describing a different incident, or saying false things with the intent to wound Joyner emotionally or a combination of motives.” For the reasons that follow, we are not persuaded.

At trial, Joyner’s neighbor testified that he heard a woman yelling for approximately 30 minutes before calling the police. The responding officer similarly testified that he heard a woman—later identified as the victim—yelling inside the residence when he arrived. The officer also testified that when the victim answered the door, he observed a mark on her neck. In addition, the video recording from the officer’s body-worn camera showed Joyner’s admission that he pushed the victim onto the bed, that he attempted to restrain the victim by grabbing her shoulders, and that he tried to push a “pressure point” on her back. The recording also showed Joyner demonstrating how he tried to restrain the victim and his intended effect. Finally, when the responding officer asked Joyner about

that mark on the victim’s neck and what caused it, Joyner linked it to his attempt to restrain the victim saying, “I might have been trying to hit a pressure point.”

This direct evidence clearly showed that Joyner engaged in nonconsensual physical contact with the victim which caused an impairment of her physical condition—the mark on her neck. Based on that direct evidence, a reasonable jury could conclude—beyond a reasonable doubt—that Joyner was guilty of domestic assault-harm under Minn. Stat. § 609.2242, subd. 1(2). *See id.* (holding that the defendant’s conduct—pushing the victim twice in the chest hard enough to cause the victim to lose his balance—was sufficient evidence of the actus reus element of assault-harm). We therefore do not disturb the verdict. *See Jones*, 4 N.W.3d at 501-02.

II.

Joyner contends that the district court erred by admitting the victim’s out-of-court statements under the excited-utterance exception to the rule against hearsay. *See* Minn. R. Evid. 801(c) (defining hearsay as “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. 802 (providing that hearsay is inadmissible unless an exception to the hearsay rule applies); Minn. R. Evid. 803(2) (allowing admission of a “statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition”).

“We review a district court’s evidentiary rulings for an abuse of discretion.” *State v. Tapper*, 993 N.W.2d 432, 437 (Minn. 2023). To obtain a new trial based on an erroneous evidentiary ruling, a challenger must establish both error and prejudice resulting from the

error. *State v. Amos*, 658 N.W.2d 201, 203 (Minn. 2003). If the error does not implicate a constitutional right, as is the case here, the harmless-error standard controls and the appellant “must prove there is a reasonable possibility that the wrongfully admitted evidence significantly affected the verdict.” *State v. Matthews*, 800 N.W.2d 629, 633 (Minn. 2011) (quotations omitted). We need not decide whether the district court abused its discretion in admitting the victim’s out-of-court statements in this case because, as explained below, the alleged error was harmless.

When conducting harmless-error review, we consider a non-exclusive list of factors “to determine whether a reasonable possibility exists that the erroneously admitted evidence significantly affected the jury’s verdict.” *State v. Bigbear*, 10 N.W.3d 48, 54 (Minn. 2024). 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.” *Id.* (quotation omitted). Additionally, “strong evidence of guilt undermines the persuasive value of wrongly admitted evidence.” *Id.* (quotation omitted). The analysis is a fact-specific determination, “and not all the factors are relevant or persuasive in every case.” *Id.* at 54-55.

Joyner argues that, other than the victim’s recorded out-of-court statements, there was no evidence that Joyner harmed the victim. He therefore argues that the “prejudice . . . is readily apparent.”

Although we acknowledge the persuasive value of the victim’s recorded out-of-court statements and that the state emphasized those statements during opening and closing

arguments, the state introduced other strong evidence of guilt. Indeed, the record refutes Joyner's assertion that, other than the victim's out-of-court statements, there was no evidence that he harmed the victim. According to Joyner's recorded statement to the responding officer, he pushed the victim onto the bed, he attempted to restrain the victim by trying to push a pressure point on her back, and he acknowledged that his attempt may have caused the mark on the victim's neck. Given this strong evidence of guilt, there is no reasonable possibility that the challenged evidence significantly affected the jury's verdict. The alleged evidentiary error is therefore harmless.

Affirmed.