

*This opinion is nonprecedential except as provided by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
A25-1648**

In re the Marriage of:

Tiffany Ann Sammartino, petitioner,
Appellant,

vs.

Salverio Vincenzo Sammartino,
Respondent.

**Filed September 8, 2026
Affirmed
Larson, Judge**

Anoka County District Court
File No. 02-FA-20-908

Christa Groshek, Freya Vieira, Sophina Larson, Groshek Law, P.A., Minneapolis,
Minnesota (for appellant)

Andrew J. Laufers, Laufers Legal Services, Lake Elmo, Minnesota (for respondent)

Considered and decided by Ross, Presiding Judge; Larson, Judge; and Beane, Judge.

NONPRECEDENTIAL OPINION

LARSON, Judge

Appellant Tiffany Ann Sammartino (mother) challenges a district court order expanding respondent Salverio Vincenzo Sammartino's (father) parenting time. Because we conclude the district court did not abuse its discretion, we affirm.

FACTS

In 2020, after eight years of marriage and the birth of two children (the children), mother petitioned to dissolve the parties' marriage.¹ In May 2021, the parties stipulated that mother had sole legal and sole physical custody of the children, subject to father's supervised parenting time, and the district court filed an order accordingly. The order also provided that upon father's request, the parties must attempt to modify father's parenting time through mediation—"including allowing unsupervised parenting time"—after he completed an outpatient treatment program (treatment requirement). The treatment requirement related to father's "sexually deviant behavior" and difficulty controlling his sexual impulses.²

Father completed the treatment requirement in late 2023, and in early 2024, in accordance with the order, requested the parties enter mediation. The parties participated in two mediation sessions but failed to agree on a modification of father's parenting time. Father moved to modify his parenting time under Minn. Stat. § 518.175 (2024), requesting a graduated unsupervised parenting-time schedule, including unsupervised overnights. Mother contested father's proposed parenting-time schedule and requested that the district court maintain only supervised parenting time.³

¹ The judgment of dissolution was entered on August 18, 2020.

² Father has never been convicted of a crime, nor has he sexually or physically abused the children.

³ Mother's motions also included requests for financial reimbursement for medical, educational, and extracurricular expenses, which are not at issue in this appeal.

In December 2024, the district court temporarily expanded father’s parenting time to include additional community-based supervised visits and attendance at extracurricular activities—but denied father’s motion for unsupervised visits. The district court scheduled an evidentiary hearing for April 2025.

At the evidentiary hearing, the following witnesses testified: a clinical psychologist and a therapist from the outpatient treatment program; the executive director of the facility where father and children had supervised parenting time; father; mother; mother’s mother; and an expert witness. After the hearing, the district court issued a detailed, 31-page order that expanded father’s parenting time, slowly moving to unsupervised visits but not including overnights.⁴ The order also required father to maintain the children’s vegan diet and install the Qustudio application—allowing mother to receive reports if father viewed pornography.

To reach its decision, the district court analyzed all the enumerated best-interest factors under Minn. Stat. § 518.17, subd. 1(a) (2024), and determined the factors “weigh[ed] in favor of carefully expanding [f]ather’s parenting time, but that expansion w[ould] not include overnights.” In doing so, the district court found that nine factors weighed against father’s proposal—which included overnights—and three were neutral. The district court emphasized the following facts when reaching its decision, none of which are challenged on appeal:

⁴ The order provided for five additional supervised visits “to allow the children to acclimate to the idea of unsupervised visits,” followed by five unsupervised visits from 9:00 a.m. to 1:00 p.m. every other Saturday, after which father would have parenting time every other weekend from 9:00 a.m. to 5:00 p.m. on Saturdays, and 12:00 p.m. to 6:00 p.m. on Sundays.

- Father sexually assaulted his five-year-old half sister when he was ten years old.
- In college, father stole women's underwear from the laundry room, stores, and an ex-girlfriend.
- During the marriage, one of the children witnessed father watching a video of a teenage girl in her underwear.
- Father has an attraction to females aged 12 to 15 years old.
- Father successfully completed a three-year outpatient treatment program.
- Father did not fully disclose his attraction to females aged 12 to 15 years old to his treatment providers.
- After completing the treatment requirement, father failed to abstain from viewing pornography.
- The children are homeschooled.
- The children have unique medical and educational needs, including a heart condition, food allergies and sensitivities, and one child has autism and hyperfixation.
- Father's residence is not near the children's school, home, and community connections, which are long-term and well-established.
- Both parents desire to be involved in the children's lives.
- Mother consistently follows the established parenting-time schedule and encourages the children to celebrate milestones with father.

The district court also found that father had

not demonstrated an ability to provide an age-appropriate and safe environment for the children through abstaining from viewing pornography, being honest with treatment providers and therapists, and creating a concrete safety plan to address

this [c]ourt's concerns regarding [f]ather having unsupervised overnight parenting time.

In September 2025, mother requested permission to bring a motion to reconsider, arguing the district court's decision was inconsistent with the findings of fact. Mother did not ask the district court to amend its factual findings. The district court denied mother's request.

Mother appeals.

DECISION

Mother argues the district court abused its discretion when it expanded father's parenting time. We will not reverse a district court's parenting-time decision absent an abuse of discretion. *Dahl v. Dahl*, 765 N.W.2d 118, 123 (Minn. App. 2009). "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). We review a district court's findings of fact applying the clear-error standard of review. *Dahl*, 765 N.W.2d at 123. When applying the clear-error standard, we cannot reweigh the evidence, reconcile conflicting evidence, or engage in new fact-finding. *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221-22 (Minn. 2021); *see also Ewald v. Nedrebo*, 999 N.W.2d 546, 552 (Minn. App. 2023) (citing *Kenney* in family law appeal), *rev. denied* (Minn. Feb. 28, 2024).

A parent can seek to modify an existing parenting-time order under section 518.175, subdivision 5. Under the statute, the district court must modify a parenting-time order "[i]f

modification would serve the best interests of the child” and “would not change the child’s primary residence.” Minn. Stat. § 518.175, subd. 5(b); *see also Suleski v. Rupe*, 855 N.W.2d 330, 334 (Minn. App. 2014) (reinforcing principle that best interests of child control district court’s decision to grant or deny parenting time). In considering a motion to modify parenting time, the district court need only consider the relevant best-interests factors in section 518.17, subdivision 1, and is “not required to make specific and detailed findings on those factors when considering [the movant’s] modification request.” *Hansen v. Todnem*, 908 N.W.2d 592, 599 (Minn. 2018). There is “scant if any room” for our court “to question the [district] court’s balancing of best-interests considerations.” *Vangsness v. Vangsness*, 607 N.W.2d 468, 477 (Minn. App. 2000).

Mother first argues that the district court abused its discretion because it failed to articulate the “logical bridge” between the findings and the conclusion when it expanded father’s parenting time, despite the best-interests factors “uniformly” favoring mother. To make this argument, mother contends that the district court’s use of the phrase “weighs in favor of mother” means nine best-interests factors weighed in favor of maintaining the status quo—only supervised parenting time. But this argument disregards the procedural posture of the case. Father filed the motion to modify, seeking unsupervised parenting time both during the day and overnight. Mother opposed his motion and suggested the parenting-time schedule remain the same. In this context, the district court determined that factors weighed “in favor of mother”—meaning father (as the movant) was not entitled to the full relief sought. And that is precisely what occurred. Father did not get the path to overnights that he requested. Instead, the district court, after carefully making findings on

all of the best-interests factors, crafted a parenting-time schedule it deemed to be in the best interests of the children based upon the record—a slow, careful expansion to unsupervised parenting time during the day. *See* Minn. Stat. § 518.175, subd. 1(a) (providing that when addressing parenting time, district court shall “grant such parenting time on behalf of the child and a parent as will enable the child and the parent to maintain a child to parent relationship that will be in the best interests of the child”).

Mother argues second that the district court’s decision is against logic and the facts in the record because the trial testimony “overwhelmingly” supported her position that father should only have supervised parenting time. Essentially, mother argues that a parent with father’s history should only have supervised parenting time and a district court *per se* abuses its discretion when it awards unsupervised parenting time in this situation. But mother’s argument asks us to reweigh the evidence and question the district court’s credibility determinations—which is not our role. *See Kenney*, 963 N.W.2d at 221-22.

Here, the district court issued a detailed, 31-page order based upon its extensive experience with this family. In doing so, it expressed its serious concerns regarding father’s behavior. But the district court also made detailed findings about father’s completion of the treatment requirement, emphasized the needs of the children to have their father in their lives, and noted that “[a] limited relationship is not the relationship that [the district court] wants for the parties.” The district court additionally found father credible regarding his desire to be actively involved in the children’s lives. Ultimately, the district court concluded that the best-interests factors “weigh[ed] in favor of *carefully* expanding

[f]ather’s parenting time,” so long as the expansion did not include overnights. (Emphasis added.)

Recognizing that there is limited room for an appellate court “to question the [district] court’s balancing of [the] best-interests considerations,” *Vangsness*, 607 N.W.2d at 477, we refrain from substituting our own judgment given the district court’s superior position to assess witness credibility and observe the family dynamics firsthand. *See In re Child. of L.A.B.*, 30 N.W.3d 136, 142 (Minn. App. 2025) (stating, in reviewing parenting-time modification, “when [we] review[] findings of fact, the review is not to determine whether the record could support findings other than those made by the district court—it almost always can”). Accordingly, even if we might have reached a different conclusion regarding the parameters of father’s parenting time, the district court’s findings are well-supported, and it did not abuse its discretion in reaching its parenting-time decision.

Affirmed.