

*This opinion is nonprecedential except as provided by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
A25-1655**

Madeline Sally Machla Lee,
Respondent,

vs.

Kellye Strickland,
Appellant.

**Filed May 11, 2026
Affirmed; motion granted
Connolly, Judge**

Ramsey County District Court
File No. 62-HR-CV-24-963

Kyle T. Manderfeld, Barna, Guzy & Steffen, Ltd., Minneapolis, Minnesota (for respondent)

Kellye Strickland, Tempe, Arizona (pro se appellant)

Considered and decided by Wheelock, Presiding Judge; Connolly, Judge; and Smith, Tracy M., Judge.

NONPRECEDENTIAL OPINION

CONNOLLY, Judge

Appellant, pro se, challenges the district court's grant of a harassment restraining order (HRO) to respondent, arguing that the district court abused its discretion in concluding that it had jurisdiction over appellant because appellant was collaterally estopped from relitigating the issue of service. She also moves to strike a sentence from

respondent's brief. Because we see no abuse of discretion in granting the HRO, we affirm. We also grant the motion to strike the sentence in respondent's brief.

FACTS

In July 2024, respondent Madeline Lee petitioned for an HRO against appellant Kellye Strickland, alleging online bullying, harassment, and harassing text messages. Following a hearing, a referee granted the petition with an order stating that there were reasonable grounds to believe that appellant, by failing to appear after receiving service by U.S. Mail, engaged in harassment intended to have a substantial effect on respondent, and ordering that appellant not harass respondent and have no contact with her for two years, until December 12, 2026. The order was issued by default because service attempts on appellant at an address in New Hampshire and an address in Mesa, Arizona, had been unsuccessful. In February 2025, after respondent learned of appellant's correct address in Tempe, Arizona, appellant was served with notice of the petition and hearing.

In April 2025, appellant filed a motion to vacate the HRO. At the hearing on the motion, appellant told the district court she had intentionally provided respondent with an incorrect address. The district court found that appellant had been properly served by alternative means and denied her motion to vacate the HRO.

In July 2025, appellant filed a second motion to vacate the HRO in district court. Respondent moved to dismiss appellant's second motion to vacate, arguing that appellant was collaterally estopped from repeating the motion. Appellant filed numerous motions with the district court between May and August 2025. After a hearing on respondent's motion to dismiss and on appellant's motions, the district court on August 19, 2025, granted

respondent's motion, denied some of appellant's motions, and found other motions moot. In October 2025, appellant filed this appeal from the denial of her second motion to vacate. In December 2025, she filed a motion with this court to strike a sentence from respondent's brief.

On appeal, she asks this court to reverse the denial of her second motion to vacate the HRO and the grant of respondent's motion to dismiss her complaint; she also asks this court to strike a sentence from respondent's brief.¹

DECISION

Appellant's first motion to vacate the HRO was denied. Respondent's motion to dismiss appellant's second motion to vacate was granted on the ground that appellant was collaterally estopped from bringing the motion. A reviewing court must first determine whether collateral estoppel was available to the district court, then whether the district court abused its discretion in applying collateral estoppel. *Saudi American Bank v. Azhari*, 460 N.W.2d 90, 92 (Minn. App. 1990). The purpose of collateral estoppel is to prevent a party from relitigating an issue that has already been adjudicated. *In re Estate of Perrin*, 796 N.W.2d 175, 179 (Minn. App. 2011). Collateral estoppel requires that: (1) the issue being litigated is identical to the issue previously litigated; (2) there was a final adjudication of

¹ In addition, appellant asks this court to address five other issues: (A) "Unsigned and Altered Orders / No Valid Judicial Authority"; (B) "Altered Notices and a Compromised Record"; (C) "Failure to Follow This Court's Fee-Waiver Directive"; (D) "ADA and Due-Process Violations"; and (E) "Cumulative Structural Error." But these issues were not raised at the district court, and issues not raised at the district court are generally not considered on appeal. *Oanes v. Allstate Ins. Co.*, 617 N.W.2d 401, 403 (Minn. 2000). We therefore do not address them.

the issue on the merits; (3) the estopped party was a party to the prior adjudication; and (4) the estopped party had a fair and full opportunity to be heard on the adjudicated issue. *Id.*

As to whether the issue is identical, appellant told the district court at the May 23, 2025, hearing on her first motion to vacate the HRO:

No jurisdiction was established over me because there was no service to me. . . . Due to the four documented failed services over the course of approximately 4 months, no jurisdiction was established.

. . . .

. . . [M]y right to be heard was violated, and the jurisdiction was never established due to lack of service.

. . . .

[T]here is alleged proof that I concealed my information from [respondent], and that is factually correct. . . . [K]nowing that she had my information was terrifying, and so when I sen[t] her [a] cease and desist, I gave her an old address intentionally.

. . . .

I concealed my address because of fear of my personal safety from her due to already actions. I did not want her having my real address.

. . . .

I obfuscated my address intentionally in that cease and desist letter because it was a danger that [respondent] posed to me.

At the August 19, 2025, hearing on her second motion to vacate the HRO, appellant stated, “The threshold question is not whether [respondent’s] claims are true or false. It is whether this court ever had jurisdiction.” Thus, appellant’s own words show that the issue at both hearings was whether the district court had jurisdiction to proceed.

As to whether there was a final adjudication on the merits, the referee at the May 23, 2025, hearing said:

I find that [appellant] was properly served as authorized by the court issuing the order for service by alternate means. The reason I find that is the affidavit that was filed by the sheriff in New Hampshire in August, indicated they went to 31 Pierce Street, Concord, New Hampshire. They were told that [appellant] does not live there, but then they had contact with [her] by phone, [she] stated that she does not live in the state of New Hampshire. . . .

Then the affidavit of service that was filed on October 2nd of 2024 states that they went to the address that [appellant] just confirmed she had told [respondent] was her address, which is . . . in Mesa, Arizona. And so when the sheriff's deputy then files an affidavit stating that they attempted personal service at that address and weren't able to do so, they did their due diligence. And the court also did its due diligence in organizing service at that address. . . .

Thereafter, [respondent] requested service by alternate means, and the court issued an order accordingly. And so I find that you were properly served, [appellant.]

This was a final adjudication on the issues of service and personal jurisdiction.

As to whether appellant—the estopped party—was the same in both hearings, the transcripts clearly show that appellant testified extensively at both hearings as to what the issue was, among other things. Finally, as to whether appellant had a full and fair opportunity to be heard, the referee at the second hearing explained:

The last issue is whether or not there was a full and fair opportunity to be heard. . . . This is with regard to the question of collateral estoppel. So the issue is with regard to the question of re-opening this case, have you had a fair and full opportunity to be heard? Again, the answer is yes. You were in front of Referee [L]. You had an opportunity to be heard. She was clear with regard to what the issue was before the case and so to the extent that she had narrowed the scope, it was only about what was relevant with regard to that question. But

that question was answered and you had a chance to share your information. You had a chance, both in pleadings, but also in the hearing. So when we say full and fair opportunity, it's not just what happens at the hearing, but it's also all the pleadings prior to the hearing; and you've had a chance to file affidavits and motions and then at the hearing had a chance to share your argument.

Because all four elements of collateral estoppel were met, the district court did not abuse its discretion in concluding that appellant was collaterally estopped from arguing a second time that the HRO should be vacated because the district court had no jurisdiction.

Appellant has moved to strike from respondent's brief the sentence "Each referee order in the record has been countersigned by a judge." She identifies one order that was not countersigned by a judge, a recusal order of Referee L. The copy of this order in the record has no signatures. Because the record, probably through an oversight, does include a referee's order that was not countersigned by a judge and because we have no reason to address the uncountersigned order in evaluating the merits of the appeal, appellant's motion to strike is granted.

Affirmed; motion granted.