

*This opinion is nonprecedential except as provided by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
A25-1803**

Juan Carlos Pomavilla Pomabilla, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed June 15, 2026
Affirmed
Beane, Judge**

Anoka County District Court
File No. 02-CR-23-505

Cathryn Middlebrook, Chief Appellate Public Defender, Sharon E. Jacks, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Brad Johnson, Anoka County Attorney, Carl E. Erickson, Assistant County Attorney, Anoka, Minnesota (for respondent)

Considered and decided by Bentley, Presiding Judge; Ede, Judge; and Beane, Judge.

NONPRECEDENTIAL OPINION

BEANE, Judge

In this appeal from an order denying postconviction relief, appellant Juan Carlos Pomavilla Pomabilla argues that the district court erred by denying his request to withdraw

his guilty plea to third-degree criminal sexual conduct, which he claims is inaccurate. He also submitted a pro se supplemental brief. We affirm.

FACTS

Respondent State of Minnesota charged Pomavilla Pomabilla¹ by amended criminal complaint with two counts of third-degree criminal sexual conduct and kidnapping. According to the allegations in the complaint, late in the evening on October 7, 2022, Pomavilla Pomabilla, who was then 27 years old, was in his parked vehicle with a 14-year-old girl (the victim) when he pushed the victim's head toward his lap and she put his penis in her mouth. When the victim reported this incident to police, she also said that she was walking by a park when Pomavilla Pomabilla forced her into his vehicle, locked the door, and attempted to remove her pants before ultimately exposing his penis and pushing her head toward it.

Pomavilla Pomabilla agreed to plead guilty to third-degree criminal sexual conduct involving the use of "coercion" in violation of Minnesota Statutes section 609.344, subdivision 1a(c) (2022), in exchange for the state's dismissal of other charges and an agreement that he would be sentenced to no more than 48 months' imprisonment.

Pomavilla Pomabilla submitted a signed petition to plead guilty and tendered a factual basis for the plea through questioning from defense counsel during a plea hearing. As part of that exchange, Pomavilla Pomabilla agreed that he was older, bigger, and

¹ Appellant's surname appears inconsistently in the record as Pomavilla Pomabilla, Pomavilla-Pomabilla, or simply Pomavilla. We refer to him as Pomavilla Pomabilla because that is how his surname appears in his pro se supplemental brief.

stronger than the victim; they were alone “in the middle of the night”; he put his hand “on the back of her head and pushed it down towards [his] lap”; and then she put his penis in her mouth. To establish the factual basis for the coercion element of the charged offense, the following exchange occurred on the record:

DEFENSE COUNSEL: And I know you did not force [the victim] to do this, but would you agree that she felt coerced into performing this act on you?

POMAVILLA POMABILLA: Yes.

DISTRICT COURT: That’s not sufficient, counsel. The statute requires that the actor use coercion, not that she felt coerced.

DEFENSE COUNSEL: I was gonna get to that, Your Honor. Based on the totality of the circumstances that you were in a car alone with her, you were bigger and older than she is, and it was the middle of the night, and you pushed her head into your lap, that the surrounding circumstances, she did not have a choice but to perform oral sex on you. Would you agree that your actions that night, the totality of the circumstances, you coerced her to perform oral sex on you?

POMAVILLA POMABILLA: I don’t understand. Could you please repeat?

DEFENSE COUNSEL: Based on everything that you’ve just admitted to, would you agree that you coerced her to perform oral sex on you?

POMAVILLA POMABILLA: Yes.

The district court accepted Pomavilla Pomabilla’s plea, convicted him, and sentenced him to 48 months’ imprisonment.

Pomavilla Pomabilla thereafter petitioned for postconviction relief. He argued that he should be permitted to withdraw his guilty plea as inaccurate, and therefore invalid, because his attorney “never informed” him of the legal definition of the element of “coercion” and he did not admit to any actions that establish coercion, as that term is

defined by Minnesota Statutes section 609.341, subdivision 14 (2022). The state opposed the petition. The district court denied relief without a hearing, reasoning that Pomavilla Pomabilla's plea was accurate because he admitted to conduct constituting coercion within the legal definition.

Pomavilla Pomabilla appeals.

DECISION

We review a district court's denial of postconviction relief for an abuse of discretion. *Fidow v. State*, 14 N.W.3d 848, 851 (Minn. App. 2024), *rev. denied* (Minn. Feb. 18, 2025). A court abuses its discretion if it exercises its discretion in an arbitrary or capricious manner, bases its ruling on an error of law, or relies on clearly erroneous factual findings. *Id.* We review questions of law de novo. *Id.*

I.

Pomavilla Pomabilla argues that the district court erred by denying his request to withdraw his guilty plea as invalid. "A defendant has no absolute right to withdraw a guilty plea after entering it." *State v. Raleigh*, 778 N.W.2d 90, 93 (Minn. 2010). But they must be permitted to withdraw their guilty plea if it is "necessary to correct a manifest injustice." Minn. R. Crim. P. 15.05, subd. 1. A manifest injustice exists if a guilty plea is "not valid." *Bonnell v. State*, 984 N.W.2d 224, 226 (Minn. 2022). "To be constitutionally valid, a guilty plea must be accurate, voluntary, and intelligent." *Id.* at 226-27 (quotation omitted). Whether a guilty plea is valid is a question of law that we review de novo. *Fidow*, 14 N.W.3d at 853.

Pomavilla Pomabilla contends that his guilty plea is inaccurate. The accuracy requirement ensures that the defendant “is guilty of at least as great a crime” as the one to which they pleaded guilty. *State v. Jones*, 7 N.W.3d 391, 396 (Minn. 2024). To be accurate, a guilty plea must have a “proper factual basis.” *Id.* at 396. A factual basis is “proper” if it contains “evidence that the defendant’s conduct meets all elements of the offense” to which they are pleading guilty. *Bonnell*, 984 N.W.2d at 227. Even if the defendant does not “verbalize[]” a particular element of an offense, a court “may nevertheless draw inferences from the facts admitted to by the defendant.” *Rosendahl v. State*, 955 N.W.2d 294, 299 (Minn. App. 2021) (emphasis omitted). A court assessing the accuracy of a plea examines the defendant’s admissions “in light of all surrounding circumstances and in the context of an entire plea colloquy.” *Jones*, 7 N.W.3d at 396 (quotation omitted).

Pomavilla Pomabilla’s accuracy challenge focuses on one element of third-degree criminal sexual conduct: the use of “coercion” to accomplish sexual penetration. Minn. Stat. § 609.344, subd. 1a(c). In this context, coercion means

the use by the actor of words or circumstances that cause the complainant reasonably to fear the infliction of bodily harm upon the complainant or another, or the use by the actor of confinement, or superior size or strength, against the complainant to accomplish the act. Proof of coercion does not require proof of a specific act or threat.

Minn. Stat. § 609.341, subd. 14; *see State v. Fugalli*, 967 N.W.2d 74, 77-78 (Minn. 2021) (stating that statutory definition controls in assessing a guilty plea’s accuracy). Pomavilla Pomabilla argues that his guilty plea is inaccurate because he was not asked about and did

not admit to coercion according to this definition. This argument is unavailing for two reasons.

First, Pomavilla Pomabilla expressly admitted to coercion during the plea hearing by agreeing that he “coerced [the victim] to perform oral sex on [him].” He cites no authority for the proposition that an express admission to an element of an offense is insufficient to establish a factual basis for that element unless it is specifically tied to a statutory definition. To the contrary, a guilty plea need only contain “evidence that the defendant’s conduct meets all elements of the offense.” *Bonnell*, 984 N.W.2d at 227. Pomavilla Pomabilla’s admission that he coerced the victim is a sufficient basis for concluding that his conduct meets that element. *Cf. Ibrahim v. State*, 14 N.W.3d 294, 302 (Minn. App. 2024) (observing, in concluding first-degree-assault guilty plea was inaccurate, that the defendant did not “admit that his conduct caused great bodily harm”).

Second, Pomavilla Pomabilla not only admitted to coercing the victim, he also admitted to facts establishing that his conduct falls within the statutory definition of that term. Coercion includes the use of “superior size or strength” against the victim “to accomplish the act.” Minn. Stat. § 609.341, subd. 14. Pomavilla Pomabilla agreed that he was bigger and stronger than the victim, that he pushed her head toward his lap, and that “based on” these and other circumstances of the encounter, he “coerced her to perform oral sex” on him. These admissions establish the element of coercion by drawing the required connection between Pomavilla Pomabilla’s use of his superior size and strength and the victim performing oral sex on him.

These admissions also occurred immediately after the district court clarified that, for his plea to be valid, Pomavilla Pomabilla was required to admit that he used coercion. Just before he admitted that he “coerced [the complainant] to perform oral sex” on him, defense counsel asked Pomavilla Pomabilla if the victim “felt coerced into performing this act on [him],” and the district court clarified that the “statute requires that the actor use coercion, not that [the victim] felt coerced.” Coming after this clarification, Pomavilla Pomabilla’s admissions to the use of his superior size and strength against the victim address whether his own actions coerced the victim. In context, his admissions were more than a mere recognition of his characteristics and actions. He admitted that he used his superior size and strength, and the fact that he was alone with the victim in his car in the middle of the night, to give the victim no “choice but to perform oral sex” on him.

Because Pomavilla Pomabilla expressly admitted to coercing the victim to perform oral sex and admitted to facts constituting coercion through the use of his superior size and strength, his guilty plea is accurate. We therefore conclude that the district court did not err by denying his request to withdraw his guilty plea as invalid.

II.

Pomavilla Pomabilla also submitted a pro se supplemental brief that presents his account of what happened between him and the victim, his interactions with police, and the circumstances of his guilty plea. The brief contains only a narrative with no discernible claim of error or legal argument. Moreover, to the extent Pomavilla Pomabilla’s pro se brief seeks to raise issues beyond the accuracy of his guilty plea, which was the only issue raised in his postconviction petition, those issues are not properly before us. *See Steward*

v. State, 950 N.W.2d 750, 756 (Minn. 2020) (stating that a party may not raise an issue for the first time on appeal). Thus, nothing in Pomavilla Pomabilla’s pro se supplemental brief provides a basis for us to grant him relief.

Affirmed.