

*This opinion is nonprecedential except as provided by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
A25-1940**

Alexander Nelson,
Appellant,

vs.

Arroyo Insurance Services, Inc.,
Respondent.

**Filed June 8, 2026
Affirmed
Reyes, Judge**

Hennepin County District Court
File No. 27-CV-25-1525

Alexander Nelson, Minneapolis, Minnesota (self-represented appellant)

Arroyo Insurance Services, Inc., Pasadena, California (respondent)

Considered and decided by Bond, Presiding Judge; Reyes, Judge; and Harris, Judge.

NONPRECEDENTIAL OPINION

REYES, Judge

Appellant challenges the district court's second denial of his fee-waiver application, arguing that its frivolous-action determination is (1) barred by collateral estoppel and (2) an abuse of the district court's discretion. We affirm.

FACTS

In January 2025, appellant Alexander Nelson¹ filed a complaint in district court asserting that respondent Arroyo Insurance Services, Inc., violated his rights under the Minnesota Human Rights Act, Minn. Stat. §§ 363A.01-.50 (2024) (MHRA), and a Minneapolis city ordinance. In his complaint, Nelson contended that he sought specialty textile insurance from Arroyo, and Arroyo’s policies required a potential insured party to be a homeowner. Nelson requested that Arroyo waive this homeowner requirement as a “reasonable accommodation” because his disability “forced [him] to rent his home at a disability apartment complex.” Arroyo refused, suggesting instead that Nelson “just look for another insurance company to solve the problem.” Nelson asserted that Arroyo’s refusal to insure him constituted discrimination based on his status as a “disabled person” under the MHRA and Minneapolis ordinance.

On the same day that he filed the complaint, Nelson applied to the district court for a fee waiver to proceed with his claim. The district court denied the fee-waiver request in a form order, checking a box that stated: “The action is frivolous.” Nelson appealed the fee-waiver denial.

In June 2025, this court filed a precedential opinion on that appeal concluding that, when denying a fee-waiver request, “a district court need not make extensive findings, but

¹ We note that it is unclear whether this is appellant’s legal name, as he concedes to having litigated at least five separate cases under the name “Aaron Olson.” The caption of this opinion conforms to the caption used in the district court. *See* Minn. R. Civ. App. P. 143.01. We use the name Nelson, as stated in appellant’s briefing, throughout the body of this opinion.

it should set forth a reason for its decision to enable meaningful appellate review.” *Nelson v. Arroyo Ins. Servs., Inc.*, 23 N.W.3d 415, 419 (Minn. App. 2025). Because the district court made no findings, and we could not discern the reason for the denial from the record, we remanded for the district court to support its determination that the action was frivolous. *Id.*

In August 2025, Nelson filed another fee-waiver request with the district court, which it denied in October 2025. In a three-page order explaining its determination that Nelson’s action was frivolous, the district court referenced a September 2025 order in a separate case, in which it had designated Nelson a “frivolous litigant” and imposed certain sanctions on him.

This appeal follows.²

DECISION

Nelson challenges the district court’s second fee-waiver denial, arguing that its frivolous-action determination is (1) barred by collateral estoppel and (2) an abuse of discretion. We address each argument in turn.

I. Nelson failed to adequately brief his collateral-estoppel argument.

Nelson first contends that the district court could not make a frivolous-action determination because this court “has already reviewed” his complaint and concluded “that it could not see frivolity.” We disagree.

² Arroyo did not file a brief in this court. This court ordered the appeal to proceed pursuant to Minn. R. Civ. App. P. 142.03, which provides that, if the respondent does not file and serve a brief, “the case shall be determined on the merits.”

Appellate courts review de novo “[w]hether collateral estoppel precludes litigation of an issue.” *Hauschildt v. Beckingham*, 686 N.W.2d 829, 837 (Minn. 2004). Collateral estoppel, also known as issue preclusion, “prevents *parties* from relitigating issues determined in a prior action.” *In re Est. of Perrin*, 796 N.W.2d 175, 179 (Minn. App. 2011) (emphasis added), *rev. denied* (Minn. June 28, 2011).

Nelson appears to direct this argument to the district court’s ability to consider whether his action is frivolous on remand. He does not make a legal argument or cite to any caselaw to support the proposition that a district court may be collaterally estopped from determining an issue that we properly remanded to it. This issue is therefore inadequately briefed, and we need not consider it.³ See *In re Civ. Commitment of Kropp*, 895 N.W.2d 647, 653 (Minn. App. 2017), *rev. denied* (Minn. June 20, 2017).

II. The district court did not abuse its discretion by making a frivolous-action determination and then denying Nelson’s fee-waiver request.

Nelson next argues that the district court abused its discretion when it determined that his action is frivolous because it “base[d]” this determination on (1) a separate September 2025 order; (2) his frivolous filings in other cases, without citing to them; and (3) only part of his requested relief. We are not persuaded.

³ Even if we considered Nelson’s argument, it fails on at least one prong of the collateral-estoppel analysis: We did not enter “a final judgment on the merits.” *Mach v. Wells Concrete Prods. Co.*, 866 N.W.2d 921, 927 (Minn. 2015). In *Nelson*, this court addressed whether the district court’s first fee-waiver denial enabled “meaningful appellate review.” 23 N.W.3d at 419. We remanded, specifically noting: “[W]e express no opinion on whether Nelson’s claims are frivolous” *Id.* at 419 n.5. On remand, the district court determined that Nelson’s action is indeed frivolous.

A district court “shall allow” a civil action to proceed “without payment of fees, costs, and security for costs” if the action “is not of a frivolous nature” and the applicant is financially unable to pay litigation costs. Minn. Stat. § 563.01, subd. 3(a)-(b) (2024). This appeal centers on only the frivolousness prong of this statute.

We review the district court’s denial of a fee-waiver application for an abuse of discretion. *Nelson*, 23 N.W.3d at 418. A district court abuses its discretion if its factual findings are unsupported by the record, if it improperly applies the law, or if it resolves a question in a manner that is contrary to logic and the facts on record. *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022). “[W]e cannot assume error by the district court on appeal.” *Butler v. Jakes*, 977 N.W.2d 867, 873 (Minn. App. 2022). The challenging party “bears the burden of proving that the district court abused its discretion.” *Blehr v. Anderson*, 955 N.W.2d 613, 624 (Minn. App. 2021); *see, e.g., Cloutier v. Cloutier*, 112 N.W.2d 347, 353 (Minn. 1961) (affirming district court when appellant could not show it abused its discretion).

A. The district court did not abuse its discretion by referencing the separate September 2025 order.

We are not persuaded by Nelson’s argument that the district court relied on a September 2025 order when making its frivolous-action determination.

Nelson commenced the action underlying this appeal in January 2025, and we filed our remand decision in June 2025. A September 2025 order in a separate case designated Nelson a “frivolous litigant” and set out certain terms for him to follow for “any new filings submitted in Hennepin County District Court.”

In October 2025, the district court denied Nelson’s fee-waiver request in this case. That denial referenced the September 2025 order and summarized the sanctions that it had imposed on Nelson.

Nelson points to no errors of law, misapplication of the facts, or illogical reasoning by the district court referencing the September 2025 order in its fee-waiver denial. Because we do not assume error by the district court, we conclude that the district court did not abuse its discretion by referencing the September 2025 order. *See Butler*, 977 N.W.2d at 873.

B. The district court did not abuse its discretion by discussing Nelson’s separate frivolous filings.

We are not persuaded by Nelson’s argument that the district court needed to cite to cases that Nelson “is attempting to relitigate with this instant case.”

The district court explained that Nelson “has displayed a pattern of frivolous filings against various entities,” and determined that the action underlying this appeal “is similarly baseless.”

At no point did the district court determine that Nelson is attempting to relitigate another case here. The basis of Nelson’s assertion is therefore unclear. Nelson provides no legal argument and cites to no caselaw to support this assertion, and we decline to consider issues that are inadequately briefed. *Kropp*, 895 N.W.2d at 653; *see also Fitzgerald v. Fitzgerald*, 629 N.W.2d 115, 119 (Minn. App. 2001) (“Although some accommodations may be made for [self-represented] litigants, this court has repeatedly

emphasized that [self-represented] litigants are generally held to the same standards as attorneys and must comply with court rules.”).

Relatedly, Nelson’s argument reflects a misunderstanding of the law. The term “frivolous action” appears in the context of fee-waiver requests, like the fee-waiver request underlying this appeal. *See* Minn. Stat. § 563.01, subd. 3(b). The term “frivolous litigant,” by contrast, appears in the context of a motion for security or sanctions, like that discussed in the September 2025 order. *See* Minn. Gen. R. Prac. 9.01. One of three definitions of “frivolous litigant,” listed in Minnesota General Rule of Practice 9.06, describes someone who “repeatedly relitigates or attempts to relitigate” a claim that has been finally determined against them. Nelson appears to conflate this definition of a frivolous *litigant* with the district court’s determination that Nelson’s complaint involves a frivolous *action*.

Although we have not defined the exact bounds of what constitutes a “frivolous action,” we are not persuaded that a district court must find that someone is a “frivolous litigant” before it can determine that an *action* is frivolous. We conclude that the district court did not need to cite to cases that Nelson is attempting to relitigate to support its frivolous-action determination.

C. The district court did not abuse its discretion by restating part of Nelson’s requested relief.

We are also not persuaded by Nelson’s argument that the district court based its frivolous-action determination on the fact that Nelson requested physical-injury damages.

At the end of its order, the district court restated verbatim one sentence from Nelson's complaint that focused on requested relief for physical-injury damages. It did not mention the other relief that Nelson requested.

Nelson's argument is unpersuasive for two reasons. First, at no point did the district court determine that Nelson requested relief *only* in the form of physical-injury damages. Instead, it accurately noted that Nelson's complaint *included* a request for physical-injury damages. Second, Nelson provides no legal argument and cites to no relevant caselaw to support the assertion that a district court abuses its discretion by discussing part, but not all, of a plaintiff's complaint when determining that an action is frivolous. This issue is therefore inadequately briefed. *See Kropp*, 895 N.W.2d at 653.

Our deferential standard of review does not permit reversal under the present circumstances. The district court did not make factual findings unsupported by the record, misapply the law, or resolve a question contrary to logic and the facts on record. *See Woolsey*, 975 N.W.2d at 506. We therefore conclude that the district court did not abuse its discretion, and we defer to the district court's ultimate determination that the action underlying this appeal is frivolous.

Affirmed.