

*This opinion is nonprecedential except as provided by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
A25-1973
A25-1977**

State of Minnesota,
Respondent,

vs.

Jessica Clara Aydt,
Appellant.

**Filed October 12, 2026
Reversed and remanded
Slieter, Judge***

McLeod County District Court
File No. 43-CR-23-1634 43-CR-23-800, 43-CR-18-150

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

Ryan Hansch, McLeod County Attorney, Steven Ott, Assistant County Attorney, Glencoe,
Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Leah C. Graf, Assistant Public
Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Smith, Tracy M., Presiding Judge; Bentley, Judge; and
Slieter, Judge.

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to
Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

SLIETER, Judge

In this consolidated appeal from two final judgments of conviction for fifth-degree controlled-substance possession, appellant claims the convictions must be reversed and the matter remanded to allow her to withdraw her guilty pleas because she entered them while incompetent and, alternatively, they were inaccurate. Because we agree that the record contains insufficient evidence that appellant was restored to competency after she was presumed incompetent, we reverse and remand.

FACTS

Respondent State of Minnesota charged appellant Jessica Clara Aydt with one count of third-degree controlled-substance possession for an offense that allegedly occurred on June 4, 2023.

At a hearing just over a week after the offense, the district court expressed concerns about Aydt’s competency. The following week, the parties appeared for another hearing and the district court ordered a competency evaluation under Minnesota Rule of Criminal Procedure 20.01. Two weeks later, at a third hearing, the district court explained its reason for ordering the evaluation, stating that it had made the decision “after interacting with Ms. Aydt through several court hearings over a relatively short period of time in which Ms. Aydt appeared to the court to be substantially unable to understand what I was saying about her rights . . . and other concerns.” The district court reiterated that Aydt “appeared utterly unable to assimilate the information that I was conveying to her and that, after several

hearings, raised enough concern by the court that I determined we needed a Rule 20 determination before we could proceed further on the merits of her case.”

While out of custody, Aydt was arrested for new offenses that allegedly occurred on November 6, 2023, and charged with fifth-degree controlled-substance possession and obstruction of legal process. At a bail hearing for those offenses, the district court again ordered Aydt to complete a Rule 20 evaluation. In January 2024, the evaluator assigned to complete Aydt’s Rule 20 evaluation filed a letter stating that he had interviewed Aydt less than a week after her November arrest, and that he “had intended to complete that assessment with a final interview but ha[d] not been able to locate her.” The evaluator did not express an opinion as to Aydt’s competency, and no evaluation was ever filed. Aydt did not appear for a scheduled hearing that month, and the district court issued a warrant for her arrest.

Aydt was apprehended over a year later in April 2025. At her next hearing, Aydt’s attorney asked the district court to find her competent. The attorney argued that Aydt “was able to express theories of the case, different defenses, different options for her, whether that’s pleading or not pleading[,] . . . identify people in the courtroom and . . . talk . . . about the case.” The attorney stated that he had spoken to the evaluator “a year ago,” who “indicate[d] at that time that he was likely to find her competent,” but that he “had some follow-up questions [for] her,” “because she was on some pretty strong medication” at the time of the interview. The district court asked Aydt some questions, after which the district court told Aydt, “[Y]ou were tracking my questions, although you veer sometimes, but you’re able to respond to my questions and you’re calm.” The state

told the district court, “I have no difficulty going forward with the presumption that [Aydt] is competent since there’s been no finding of incompetence.” The district court found Aydt competent.

The state agreed to amend the third-degree controlled-substance charge and dismiss the obstruction charge, and Aydt entered *Alford*¹ guilty pleas to two fifth-degree controlled-substance-possession charges, corresponding with the June and November 2023 offense dates. The district court entered two convictions for felony fifth-degree controlled-substance possession and sentenced Aydt to 12 months’ imprisonment for each conviction, to run concurrently, stayed for three years. This appeal follows.

DECISION

Aydt argues that her convictions must be reversed on two grounds. First, she argues that the district court erred when it failed to conduct procedures adequate to protect her right not to be tried or convicted while incompetent. Second, she argues that her *Alford* guilty pleas were invalid. Because we reverse on the first issue, we do not address the second.

A defendant has a due-process right not to be convicted of a crime while incompetent. *State v. Bauer*, 245 N.W.2d 848, 852 (Minn. 1976); *Medina v. California*, 505 U.S. 437, 439 (1992). Under the Minnesota Rules of Criminal Procedure, criminal proceedings must be suspended when the defendant is not legally competent.

¹ By entering an *Alford* plea, a defendant acknowledges that the state has sufficient evidence to obtain a conviction without expressly admitting guilt. *See North Carolina v. Alford*, 400 U.S. 25, 37-38 (1970); *see also State v. Goulette*, 258 N.W.2d 758, 760 (Minn. 1977).

Minn. R. Crim. P. 20.01, subds. 2-3.² A defendant is not legally competent if, due to mental illness or cognitive impairment, they lack the ability to “(a) rationally consult with counsel; or (b) understand the proceedings or participate in the defense.” *Id.*, subd. 2. When a “defendant’s competency is disputed, Minn. R. Crim. P. 20.01, subd. 5, creates a presumption of incompetence.” *State v. Thompson*, 988 N.W.2d 149, 153 (Minn. App. 2023) (quotations omitted), *rev. denied* (Minn. June 20, 2023).

“[T]hroughout the course of criminal proceedings a [district court] judge must be vigilant in ensuring that the defendant is competent to stand trial and that, when a sufficient doubt of the defendant’s competence arises, [a district court judge] must observe procedures adequate to ensure the defendant’s competency.” *Bauer*, 245 N.W.2d at 854. The party seeking the determination of competence in a contested competency proceeding must prove competence by a “fair preponderance of the evidence.” *State v. Ganpat*, 732 N.W.2d 232, 238 (Minn. 2007); *Thompson*, 988 N.W.2d at 157. “[A]n individual may have periods of competence interspersed with periods of incompetence,” therefore, the district court must determine whether a defendant is “currently competent.” *Thompson*, 988 N.W.2d at 157-58.

² We refer to the 2022 version of Rule 20. New competency statutes became effective July 1, 2023, and “apply to competency determinations initiated on or after that date.” 2022 Minn. Laws ch. 99, art. I, §§ 50, at 1046; 26-37, at 1020-37 (codified at Minn. Stat. §§ 611.40-.51 (2022)). In response to the new statutory scheme, the supreme court promulgated amendments to Rule 20, effective on November 1, 2024. *Order Promulgating Amendments to the Minnesota Rules of Criminal Procedure*, No. ADM10-8049 (Minn. Sep. 20, 2024). The district court initiated a competency determination on June 21, 2023, when it ordered the initial Rule 20 examination. Thus, the new competency statutes and amended Rule 20 do not apply here.

Appellate courts review de novo whether a district court should have inquired further into a defendant's competency. *State v. O'Neill*, 945 N.W.2d 71, 78-79 (Minn. App. 2020), *rev. denied* (Minn. Aug. 11, 2020). Whereas the clear-error standard of review applies when appellate courts review a district court's competency findings. *Id.* at 80. Here, the district court decided to inquire further into Aydt's competence by ordering a Rule 20 evaluation. But the district court later made a finding that Aydt was competent even though no Rule 20 evaluation was completed. Therefore, it is unclear which standard of review applies. But we need not decide which standard of review applies because even under the deferential clear-error standard, the district court erred.

Appellate courts "review the district court's factual findings to determine if they are clearly erroneous," and, in doing so, consider "whether its competency finding is adequately supported by the record." *Id.* at 82 (quotation omitted). "[F]indings are clearly erroneous when they are manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole." *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021) (quotation omitted). "In applying the clear-error standard, we view the evidence in a light favorable to the findings." *Id.* "We will not conclude that a fact[-]finder clearly erred unless, on the entire evidence, we are left with a definite and firm conviction that a mistake has been committed." *Id.* (quotations omitted).

We conclude that the record contains insufficient evidence to support the district court's finding that Aydt was competent. The Rule 20 evaluation was never completed, and no portion of the evaluation was filed or admitted as evidence. Aydt's attorney stated that he spoke with the evaluator "a year ago," at which point the evaluator said he was

“likely” to conclude that Aydt was competent, but this evidence bears little on Aydt’s competency at the time of the hearing. *See Thompson*, 988 N.W.2d at 157-58 (requiring proof of “current” competence). Aydt’s attorney also acknowledged that the evaluator had said he wanted to ask Aydt “some follow-up questions” before completing the evaluation, because she had been “on some pretty strong medication” at the time of the interview, suggesting that the evaluator never reached a conclusion as to Aydt’s competency. The district court also spoke with Aydt during the hearing, and although the district court ultimately found Aydt competent, it nonetheless noted that Aydt’s responses sometimes “veer[ed].”

The scant evidence in the record is insufficient to overcome the presumption of Aydt’s incompetency by a preponderance of the evidence. Thus, we reverse and remand for the district court to permit Aydt to withdraw her guilty pleas.

Reversed and remanded.