This opinion is nonprecedential except as provided by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
A25-2016

Estate of Robert N. Roningen,
a/k/a Robert Noel Roningen (Special and Formal - Supervised)

Filed July 13, 2026
Reversed and remanded
Worke, Judge

St. Louis County District Court
File No. 69DU-PR-10-529

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Considered and decided by Connolly, Presiding Judge; Worke, Judge; and Ede, Judge.

NONPRECEDENTIAL OPINION

WORKE, Judge

In this probate-related dispute, appellants argue that, as nonparties to the probate and fraudulent-transfer matters arising from decedent's death, the district court lacked personal jurisdiction[1] over them because they were never sued. We agree and reverse and remand with instructions to the district court to dismiss the action with prejudice.

[1] This matter could be viewed as a challenge to subject-matter jurisdiction as well. Our analysis will address personal jurisdiction because the parties have cast this action as such.

FACTS

On January 4, 2010, Robert N. Roningen (Roningen) died intestate. In December 2010, Darryl Coons (Coons), the trustee of the Lloyd K. Johnson Revocable Trust U/A October 29, 2004 (the trust), petitioned for appointment of a special administrator of the Estate of Roningen (the estate). Coons included a schedule of Roningen's heirs to include appellants Margaret A. Roningen (Roningen's wife) and his children, Chris Roningen and Jean Kronzer.

Coons filed a written statement of claim, indicating that the estate was indebted to the trust resulting from a judgment entered against Roningen in 2009.[2] The claim form contains the following notation: "Claim may be presented to Personal Representative or filed with Court Administrator. Presentation of claim does not commence any proceeding." In January 2011, the district court appointed Coons as the estate's special administrator, whose sole purpose was to collect assets for the estate to pay the Roningen judgment.

Over the next several years, Coons, in his capacity as the special administrator of the estate, served discovery demands on appellants, seeking, among other things, information related to whether Roningen transferred property to appellants to avoid payment of the judgment. The district court filed several orders compelling appellants to respond to discovery. When appellants provided discovery, Coons deemed it incomplete and continued to move the district court to compel discovery.

[2] The judgment was renewed in 2019 in the amount of $1,200,167.73.

In March 2014, Roningen's son, Robert Roningen (Robert), was appointed personal representative of the estate. In February 2016, Robert reported to the district court that he completed an investigation and determined that Roningen had no estate assets for at least ten years prior to Roningen's death. Coons, however, continued to pursue discovery. Appellants moved the district court for an order confirming that the district court did not have personal jurisdiction over them as it related to the trust's claims. In October 2016, the district court filed an order stating that it believed that discovery was necessary and denied appellants' motion to bar discovery for lack of jurisdiction. The district court also removed Robert as personal representative and appointed Coons as personal representative.

Approximately seven years later, in February 2024, the trust moved for summary judgment "requesting that the [c]ourt recover assets for the [e]state" to satisfy the judgment. The trust alleged that Roningen had violated the Minnesota Uniform Voidable Transactions Act, Minn. Stat. §§ 513.41-.51 (2024), when he was insolvent and transferred assets to his wife who then fraudulently transferred assets to her children and her attorney.

In April 2024, the trust moved for the appointment of a successor special administrator after Coons died. Respondent Erik Torch was appointed as the successor trustee of the trust, and the district court appointed Torch as special administrator. Appellants again questioned jurisdiction because a lawsuit had not been commenced, and that if a lawsuit had been commenced, "such [a] lawsuit cannot be maintained by a special administrator." The district court denied appellants' request, stating that, when it appointed Coons as special administrator, it determined that it had jurisdiction, and this ruling has been "restated or incorporated in all subsequent [c]ourt [o]rders."

In July 2024, appellants moved for dismissal of all "claims" against them for failure to state a claim upon which relief could be granted. The district court denied appellants' motion, finding: "A special administrator may have the same powers, and be a personal representative in effect, in a formal proceeding. As a special administrator was appointed . . . [appellants'] argument that no lawsuit has been commenced for lack of a personal representative is without merit." The district court also denied the trust's motion for summary judgment.

In February 2025, before a different district court judge, appellants again challenged jurisdiction. Following a hearing, the district court denied appellants' motion to dismiss for failure to state a claim upon which relief can be granted and determined that it had jurisdiction over appellants. This appeal followed.

DECISION

Appellants argue that, as nonparties to the probate and fraudulent-transfer matters, and because they had never been sued outside of these matters, the district court lacked jurisdiction over them. The district court determined that it had jurisdiction over appellants despite neither special administrator suing appellants. The district court reached this conclusion because it found that a special administrator has the same powers as a personal representative. Whether personal jurisdiction exists is a question of law reviewed de novo. *V.H. v. Est. of Birnbaum*, 543 N.W.2d 649, 653 (Minn. 1996). But in reviewing a district court's ruling regarding whether personal jurisdiction exists, appellate courts "must apply the facts as found by the district court unless those factual findings are clearly erroneous." *Shamrock Dev., Inc. v. Smith*, 754 N.W.2d 377, 382 (Minn. 2008).

Here, the district court cited the following statutes in determining that the special administrator had the same powers as a personal representative. Under Minn. Stat. § 524.3-616 (2024),

> A special administrator appointed by the registrar in informal proceedings pursuant to section 524.3-614(1) has the duty to collect and manage the assets of the estate, to preserve them, to account therefor and to deliver them to the general personal representative upon qualification. The special administrator has the power of a personal representative under the chapter necessary to perform these duties.

And under Minn. Stat. § 524.3-617 (2024),

> A special administrator appointed by order of the court in any formal proceeding has the power of a general personal representative except as limited in the appointment and duties as prescribed in the order. The appointment may be for a specified time, to perform particular acts or on other terms as the court may direct.

Based on these provisions, a special administrator may act with the same powers as a personal representative. Here, the special administrator had the sole duty to collect assets for the estate to satisfy the judgment in favor of the trust.

Appellants assert, however, that even if the special administrator acted with the same powers as a personal representative, the special administrator failed to commence a lawsuit to prosecute an alleged fraudulent conveyance.

> The [personal] representative may recover any property which the decedent may have disposed of with intent to defraud creditors, or by conveyance or transfer which for any reason is void as to them. Upon the application of any creditor and upon making the payment of or providing security for the expenses

> thereof as directed by the court, the representative shall prosecute all actions necessary to recover the property.

Minn. Stat. § 525.391 (2024).

Appellants claim that the statute uses "shall prosecute," which means a separate action outside of a probate proceeding. Torch, the special administrator, argues that a separate lawsuit is not necessary. He argues that the statement of the claim filed in December 2010 indicated that Roningen's heirs were parties to the matter, that the heirs wrongfully obtained assets from Roningen, and that the assets are recoverable as part of the probate proceeding.

A personal representative may "prosecute *or* defend claims, or proceedings in any jurisdiction for the protection of the estate and of the personal representative in the performance of duties." Minn. Stat. § 524.3-715(22) (2024) (emphasis added). The "or" indicates a differentiation between actions. *See Goldman v. Greenwood*, 748 N.W.2d 279, 283 (Minn. 2008) (recognizing courts "normally interpret the conjunction 'or' as disjunctive rather than conjunctive"). These actions are also different because, within probate, the personal representative is recovering assets that belong to the estate. To prosecute, such as the case here, it is alleged that the property belongs to the estate and it was fraudulently conveyed, but whether there was a fraudulent conveyance is contested. In this case, the personal representative must pursue a claim in a civil lawsuit. Because appellants were not sued, the district court did not have jurisdiction over them. We reverse and, on remand, the district court shall dismiss the action with prejudice.

Reversed and remanded.