

*This opinion is nonprecedential except as provided by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
A25-2036**

Tyler Allen Wolters, petitioner,
Appellant,

vs.

Commissioner of Public Safety,
Respondent.

**Filed August 10, 2026
Affirmed
Florey, Judge***

Blue Earth County District Court
File No. 07-CV-25-145

Tyler Allen Wolters, Mankato, Minnesota (self-represented appellant)

Keith Ellison, Attorney General, Eva Kendrick, Assistant Attorney General, St. Paul,
Minnesota (for respondent)

Considered and decided by Ross, Presiding Judge; Cochran, Judge; and Florey,
Judge.

NONPRECEDENTIAL OPINION

FLOREY, Judge

In this appeal from the district court's order sustaining the revocation of his driver's
license after his suspected driving while impaired (DWI) and refusal to submit to a blood

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

or urine test under Minnesota Statutes section 171.177, subdivision 4 (2024), appellant argues that he was not lawfully placed under arrest for DWI and that the testing advisory given to him was invalid. We affirm.

FACTS

The following facts derive from testimony and additional evidence received at the implied-consent hearing.

In November 2024, a Minnesota State Patrol officer was on duty, refueling his squad car at a gas station when he noticed a car parked “perpendicular” to the gas pumps and saw “that somebody was . . . in some type of distress inside the vehicle.” The officer explained that he could see that the individual in the car “was just constantly moving back and forth,” was throwing his hands up in the air, and that there was “some type of verbal commotion . . . coming from the car.” Seeing this, the officer approached the car and made contact with the car’s driver and sole occupant. The officer identified the driver as appellant Tyler Allen Wolters.

The officer made several observations about Wolters. He noted that Wolters’s “face was flushed red, he was very frantic or in a panic”; that he “was just very, very animated,” including “moving his arms up and down” and combing his hands through his hair; that he was “very fidgety”; and that he “was sweating quite a lot.” In speaking with Wolters, the officer observed that he was “in a state of, like, elevated paranoia” and panicking because he thought his son had been harmed but could not reach his son’s mother. The officer testified at the implied-consent hearing that he “didn’t know what was going on” but he

“could tell [Wolters] was in some form of immediate distress or like some type of emergency.”

After this initial contact, the officer directed Wolters to move his car to a nearby parking stall. Once Wolters complied, the officer parked his squad car behind Wolters “to prevent him from leaving the stall.” As the officer continued his interaction with Wolters, the officer noticed that Wolters’s “eyes appeared to be dilated.” Describing his concerns about impairment more specifically, the officer testified that, because of Wolters’s physical behaviors, he “felt that [Wolters] was impaired off of a stimulant.” He explained that “dilated pupils, sweating profusely, being in a state of hyper paranoia, constantly moving and fidgeting, . . . [and] the flushed red face” can be indicators of stimulant impairment. The officer testified that he had mental-health concerns as well based on Wolters’s statements.

Wolters eventually reached his son’s mother by phone, and the officer was able to speak with her. According to the officer, she mentioned “mental health concerns” including “the possible diagnosis of schizophrenia and bipolar.” She also said that Wolters had a history of using methamphetamine but that he had been sober for about a year. Wolters also called his aunt while the officer was present, and the officer talked to her by phone as well. Wolters’s aunt corroborated the information about diagnoses for schizophrenia and bipolar disorder, but also “expressed concerns that [Wolters] was recently using methamphetamine.” In his testimony, the officer stated that he continued to suspect impairment, even with the mentioned mental-health diagnoses, because “mental health and

drug usage” are “not exclusive” and “drug usage can amplify . . . mental[-]health issues” or “could induce mental[-]health episodes.”

The officer decided not to attempt any field sobriety testing because of Wolters’s elevated state and concern for the safety of everyone involved, as the officer recognized “preflight indicators.” Instead, to obtain voluntary compliance, State Patrol contacted Wolters’s uncle, who worked for a different law-enforcement office. Wolters’s uncle came to the scene and convinced Wolters to get into his work car to go to the hospital. The arresting officer followed immediately behind Wolters and his uncle to the hospital. Wolters was then admitted to the hospital’s behavioral health unit. At no point in the interaction did the officer formally tell Wolters that he was under arrest.

At that time, the officer applied for a search warrant for a blood or urine sample from Wolters based on the suspected crime of “driving, operating or being in physical control of a motor vehicle while impaired.” A judge signed off on the warrant. The officer served the search warrant on Wolters, who refused the test. As a result, the Minnesota Commissioner of Public Safety revoked Wolters’s driver’s license in accordance with Minnesota Statutes section 171.177, subdivision 4.

Wolters, represented by an attorney, requested an implied-consent hearing, seeking rescission of the license revocation. In his original petition, Wolters listed around 20 different grounds on which he was challenging his revocation, including grounds clearly inapplicable to the facts of his case. Later, Wolters narrowed the scope of his challenge and asserted three grounds: (1) that the police officer lacked probable cause to believe that

Wolters was driving while impaired; (2) that Wolters was not lawfully placed under arrest; (3) and that the search warrant was not supported by probable cause.

The initial implied-consent hearing was held on March 14. The arresting officer testified, and the district court received the search warrant application and warrant itself into evidence. At the beginning of the hearing, Wolters's attorney agreed that "the two issues noted" were that there was not "probable cause to believe that [Wolters] was driving, operating or in physical control of a motor vehicle," and that Wolters "was not lawfully placed under arrest." However, Wolters's attorney suggested that he was considering raising a challenge to the testing advisory based on new information about available body-worn camera footage, arguing that they "never waived any other issues." The district court concluded testimony for the day to allow Wolters the opportunity to review the additional footage.

A second hearing was held in May. The arresting officer testified again and additional exhibits, including body-worn camera footage, were admitted into evidence. Wolters's attorney confirmed their challenges to the issues previously raised, which did not include a challenge to the validity of the advisory, and formally waived all other issues for the record.

The district court later filed its order denying Wolters's petition and sustaining the revocation of his license. It made extensive factual findings based on the officer's testimony, his report, the search warrant application, and body-worn camera footage. The district court found that the arresting officer's testimony was credible, specifically crediting his testimony that "he was concerned about [Wolters's] ability to operate a motor vehicle

based on his mental state and suspicion of drug impairment, as the two are not mutually exclusive.” Further, the district court noted the officer’s testimony about “common indicators of impairment by stimulant” and “that drug usage could amplify symptoms related to a mental[-]health crisis.” The district court then concluded based on those facts that the arresting officer had probable cause to arrest Wolters, that he was lawfully placed under arrest, and that the search warrant for his blood or urine was supported by probable cause.

Wolters appeals.

DECISION

We understand Wolters to make two distinct arguments in his pro se brief. First, he argues that he was never lawfully placed under arrest for driving while impaired so his license could not legally be revoked. Second, Wolters argues that the testing advisory was invalid because he was in the hospital, medication was being administered, and he could not understand what was happening at the time it was given. However, because his second argument was not raised with the district court, we decline to reach it. *See Smith v. State*, 974 N.W.2d 576, 582 (Minn. 2022) (stating that claims raised for the first time on appeal are generally forfeited). Instead, we reach only the issue of whether Wolters was lawfully arrested.

Both the Fourth Amendment to the United States Constitution and Article I, Section 10 of the Minnesota Constitution guarantee the “right of the people to be secure in their persons, houses, papers, and effects” from “unreasonable searches and seizures.” U.S. Const. amend. IV; Minn. Const. art. I, § 10. For a warrantless arrest to be valid under

those provisions, the arrest must be supported by probable cause. *State v. Harris*, 121 N.W.2d 327, 330 (Minn. 1963). Appellate courts “apply an objective standard for determining the lawfulness of an arrest or a search by taking into account the totality of the circumstances to determine whether the police have probable cause to believe that a crime has been committed.” *State v. Hawkins*, 622 N.W.2d 576, 579-80 (Minn. App. 2001). In other words, appellate courts determine “whether the objective facts are such that under the circumstances a person of ordinary care and prudence would entertain an honest and strong suspicion that a crime has been committed.” *State v. Johnson*, 314 N.W.2d 229, 230 (Minn. 1982) (quotation omitted). When reviewing probable-cause determinations, appellate courts “review the district court’s findings of historical fact relating to the probable-cause determination for clear error under the clearly erroneous standard.” *State v. Lee*, 585 N.W.2d 378, 383 (Minn. 1998). While this court must give “due weight to inferences drawn from those facts by [district court] judges,” whether probable cause existed is a legal conclusion reviewed de novo. *Id.* at 383 (quoting *Ornelas v. United States*, 517 U.S. 690, 699 (1996)).

Subdivision one of Minnesota’s implied-consent law provides that a person is required to submit to a chemical test to determine the presence of a controlled substance in the person’s body if an “officer has probable cause to believe the person was driving . . . a motor vehicle” in violation of Minnesota’s DWI statute, Minnesota Statutes section 169A.20 (2024), and “the person has been lawfully placed under arrest” for a violation of that statutory provision. Minn. Stat. § 169A.51, subd. 1(b)(1) (2024). Under subdivision three of that section, an officer must obtain a search warrant to require a blood or urine

sample for testing. *Id.*, subd. 3 (2024). That search warrant must be “conducted only as provided in section[] . . . 171.177,” *id.*, and therefore needs to be “based upon probable cause,” Minn. Stat. § 171.177, subds. 3, 4 (2024). If, after executing the search warrant, the officer certifies to the commissioner of public safety that the person “refused to comply with the execution of the search warrant,” the commissioner shall revoke the person’s license to drive. Minn. Stat. § 171.177, subd. 4.

We understand Wolters’s brief to argue both that he was never lawfully placed under arrest such that the implied-consent law cannot apply and, separately, that any arrest was unsupported by probable cause. Beginning with Wolters’s contention that he was never placed under arrest, we must first assess “whether a reasonable person would have concluded, under the circumstances, that he was under arrest and not free to go.” *State v. Beckman*, 354 N.W.2d 432, 436 (Minn. 1984). There is, therefore, no subjective requirement that Wolters understood he was under arrest, nor is there a requirement that the police tell an individual that they are under arrest. In fact, Minnesota courts have recognized the possibility of someone being “de facto under arrest,” as opposed to being expressly told they are under arrest. *See, e.g., State v. Blacksten*, 507 N.W.2d 842, 847 (Minn. 1993); *State v. Thompson*, 929 N.W.2d 21, 27-28 n.1 (Minn. App. 2019), *aff’d*, 937 N.W.2d 418 (Minn. 2020).

Looking at the facts of the case as a whole, we see numerous points during Wolters’s interaction with the police where a reasonable person would have concluded that he was under arrest and not free to go, even in the absence of explicit notification of that fact. For example, when the arresting officer had Wolters pull his car into a nearby parking spot, the

officer parked his squad car behind him, and eventually several other police cars parked around him as well, restricting his ability to leave by car. Numerous officers then surrounded his car on foot. Alternatively, later in the interaction, the arresting officer followed directly behind Wolters and his uncle while they drove to the hospital, and the officer remained with Wolters as he was processed into the behavioral health unit. Considering those facts, we would conclude that, under the applicable standard, a reasonable person in the same circumstances would have recognized sometime during this interaction that they were under arrest and not free to go, regardless of whether Wolters was subjectively aware of this at the time. *Beckman*, 354 N.W.2d at 436.

Separately, we conclude that Wolters's arrest was supported by probable cause. When reviewing the existence of probable cause to arrest, we must determine "whether the objective facts are such that under the circumstances a person of ordinary care and prudence would entertain an honest and strong suspicion that a crime has been committed." *Johnson*, 314 N.W.2d at 230 (quotation omitted). Here, the district court credited the officer's observations that Wolters was "profusely sweating," was "very frantic/emotional," had rapid speech, "could not sit still and had rapid movements," was fidgeting, and had dilated pupils. The district court also noted that Wolters's aunt and his son's mother told the officer about his mental-health diagnoses as well as his history of methamphetamine use. All of the district court's factual findings are consistent with the record. This court has repeatedly held that one objective indicia of impairment is enough to support a finding of probable cause that a person is under the influence. *See, e.g., State v. Kier*, 678 N.W.2d 672, 678 (Minn. App. 2004), *rev. denied* (Minn. June

15, 2004); *State v. Carver*, 577 N.W.2d 245, 248 (Minn. App. 1998). Here, multiple objective indicia existed, leading us to conclude that the facts in their entirety support that the police had probable cause to believe that Wolters was driving while impaired.

Wolters notes that he was never asked to perform a field sobriety test, but this does not provide grounds for relief. Caselaw establishes that police need not perform field sobriety testing to establish probable cause for DWI. *See Holm v. Comm’r of Pub. Safety*, 416 N.W.2d 473, 475 (Minn. App. 1987) (“While field sobriety tests are encouraged and may aid the police officer in making a probable cause determination, they are not required.”). Wolters also suggests that his behavior was caused by a mental-health episode, rather than impairment. But “the fact that there might have been an innocent explanation for [a person’s] conduct does not demonstrate that the officers could not reasonably believe that [the person] had committed a crime.” *Hawkins*, 622 N.W.2d at 580. So, even though Wolters’s behavior could have had an innocent explanation—his mental-health diagnoses—this does not signify that the police then lacked probable cause to conclude that he was impaired by a controlled substance. The district court found credible the arresting officer’s testimony that drug impairment and mental-health problems are not mutually exclusive and that one can exacerbate the other. That is consistent with a determination that the police had probable cause to believe Wolters was impaired.

In sum, we conclude that Wolters was arrested, and that arrest was supported by probable cause.

Affirmed.