This opinion is nonprecedential except as provided by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
A26-0006

In re:

the Marriage of Susanne Marie Auleciems, petitioner,
Respondent,

vs.

Karl Evald Auleciems,
Appellant.

Filed November 9, 2026
Affirmed; motion denied
Schmidt, Judge

Washington County District Court
File No. 82-FA-24-3716

Daniel J. Van Loh, Colleen L. Case, Messerli Kramer, Minneapolis, Minnesota (for respondent)

Karl Auleciems, Lake Elmo, Minnesota (pro se appellant)

Considered and decided by Schmidt, Presiding Judge; Bratvold, Judge; and Ede, Judge.

NONPRECEDENTIAL OPINION

SCHMIDT, Judge

Appellant Karl Evald Auleciems (husband) raises six issues in challenging the judgment dissolving his marriage to respondent Susanne Marie Auleciems (wife). We affirm and deny his motion to supplement the record.

FACTS

Since their marriage in 1997, the parties have purchased various real properties, built or remodeled houses, and sold the properties for a profit. They retained two properties for personal use: a cabin in Wisconsin and a marital home in Minnesota.

Wife petitioned to dissolve the parties' marriage in 2024. Due to a separate lawsuit that husband had pending against the Tenth Judicial District "and some of its judges," husband filed a request to have the entire district recuse itself and assign the case to another district. The assigned judge recused herself, but the Chief Judge of the Tenth Judicial District denied husband's districtwide recusal request. Husband did not request recusal of the reassigned judge, who ultimately presided over the matter.

At trial, the district court heard testimony from the parties and two appraisers, and received more than 100 exhibits. The court drew a "negative inference against" husband because he failed to respond to wife's discovery and failed to "support his claim for spousal maintenance, non-marital claims and asset valuation."

After trial, the district court found that husband failed to prove his need for spousal maintenance; determined that husband failed to substantiate his claims to nonmarital portions of the Wisconsin cabin and the marital home; awarded the marital home to husband, subject to a lien in favor of wife, and ordered husband to sell the marital home; awarded the Wisconsin cabin to wife; awarded husband a net-loss carryover from a satisfied judgment from prior litigation; and ordered husband to be solely responsible for judgments against the parties.

Husband appeals.

DECISION

Husband raises six issues on appeal. He argues that the district court erred by: (1) denying his nonmarital claims to two real properties, and (2) declining to give effect to his purported contract with wife. Husband also argues the district court abused its discretion by (3) assigning jointly held judgments to him, (4) denying him spousal maintenance, (5) denying his motion to remove all district judges, and (6) awarding a net-loss carryover from a satisfied judgment to him as an asset.[1] We address each in turn.[2]

I. The district court did not err by denying husband's claims to nonmarital portions of the parties' real properties.

Husband contends the district court ignored that the property husband owned before the marriage was "the source capital" for all the property bought and sold during the parties' marriage. We understand husband's contention to be a challenge to the district court's denial of his claim to nonmarital portions of the Wisconsin property and the marital

[1] Husband also appears to claim error in the district court's decision regarding airline points and an inheritance. Because he does not support these arguments with citation to legal authority, and we discern no error on mere inspection, he has forfeited them. *See Smith v. Smith*, 32 N.W.3d 575, 587 (Minn. App. 2026), *rev. denied* (Minn. Apr. 29, 2026).

[2] After briefing was complete, husband filed a motion to supplement the record with material related to the district court's approval of the sale of the marital home. The record on appeal consists of "[t]he documents filed in the trial court, the exhibits, and the transcript of the proceedings, if any." Minn. R. Civ. App. P. 110.01. A party may seek "correction or modification" of the record if, "by error or accident," materials were omitted from the record. Minn. R. Civ. App. P. 110.05. Husband's motion does not allege any error or accident; instead, he asks to expand the scope of the appeal to include issues that occurred after the decision under review. We decline to do so. *See K.S.A. v. Alyea*, 983 N.W.2d 455, 466 (Minn. App. 2022) (declining to consider materials "not submitted to the district court before it made the decision being appealed"), *rev. denied* (Minn. Mar. 14, 2023).

home. Whether property is marital or nonmarital is a question of law that we review de novo. *Gill v. Gill*, 919 N.W.2d 297, 301 (Minn. 2018). We defer to the district court's underlying findings of fact and will not disturb them unless they are clearly erroneous. *Id.*

Marital property is any real or personal property "acquired by the parties, or either of them, . . . at any time during the existence of the marriage." Minn. Stat. § 518.003, subd. 3b (2024). Nonmarital property, as relevant to the issues in this appeal, is real or personal property acquired by either spouse "before, during, or after the existence of their marriage" that "is acquired as a gift, bequest, devise or inheritance made by a third party to one but not to the other spouse" or "is acquired before the marriage." *Id.*

If either party acquires property during the marriage, the law presumes the property to be marital, without regard to the form of ownership. *Id.* To overcome that presumption, a party must demonstrate, by a preponderance of the evidence, that the property is nonmarital. *Antone v. Antone*, 645 N.W.2d 96, 100-01 (Minn. 2002). If nonmarital property is commingled with marital property, it loses its nonmarital character unless the party claiming a nonmarital interest can trace that claimed interest to a nonmarital source. *Prahl v. Prahl*, 627 N.W.2d 698, 705 (Minn. App. 2001).

At trial, husband asserted nonmarital claims to portions of the Wisconsin property and the marital home. The district court found facts supporting a marital interest in both properties and determined that husband failed to substantiate his claimed nonmarital interest in either property to overcome the marital presumption. Our careful review of the record reveals ample support for the district court's decision.

Wisconsin Property

Husband testified that he solely funded the purchase of the Wisconsin property and "added" wife's name to "all the documents" because they were engaged and "it was the right thing to do." He said that wife "never made a mortgage payment" and "never paid for the property taxes." He testified that, through his financial and labor contributions, he made a premarital contribution of 42% of the appraised value of the cabin. Husband acknowledged, however, that he had no documentation to substantiate his claim aside from an image of the downpayment check.

In contrast, wife testified that the parties jointly purchased the Wisconsin property before they married. She acknowledged that some of the funds for the downpayment came from an account bearing only husband's name, but testified that they were engaged at the time and had already commingled finances. They later built a cabin on the property with husband doing the bulk of the physical work and serving as a general contractor. Wife testified that the parties financed the costs together with a mortgage that they jointly paid off during the marriage. Wife supported her testimony with numerous exhibits, including the deed and the mortgage for the Wisconsin property—which were in both parties' names.

Our careful review of this record does not reveal any clearly erroneous findings of fact underlying the district court's determination that husband failed to overcome the marital presumption. Since the facts support the district court's legal determination, we discern no error in the district court's denial of husband's claim for a nonmarital interest in the Wisconsin cabin.

Marital Home

Husband's testimony acknowledged that the parties purchased the marital home during the marriage. But husband claimed a nonmarital interest to the home because he testified that he used nonmarital funds to pay for it. Husband did not provide documentation to prove that the funds originated from his nonmarital property interests.

Wife testified that the parties purchased the land for the marital home during the marriage, husband built the home, and they resided there until they separated. She testified that payments on the mortgage were made from the parties' joint checking account.

On this record, we discern no clear error in the district court's findings of fact. As the district court found, husband failed to substantiate his claim to a nonmarital interest in the marital home. As such, we cannot conclude that the district court erred in determining that husband failed to overcome the presumption that the property is marital.

II. The district court did not err by declining to give effect to husband's purported contract with wife.

Husband contends the district court erred by "ignoring" a contract that purported to award husband certain property and compensation if wife filed for divorce for reasons other than adultery. Husband offered the purported contract as an exhibit at trial, but conceded on cross-examination that he was "not asking for" it to be honored. The district court's order did not address the purported contract. While husband assigns error to that omission, the district court implicitly accepted husband's testimony that he was not seeking enforcement of the purported contract. On appeal, husband advances no reason why it was improper for the district court to take him at his word that he abandoned this theory.

III. The district court did not abuse its discretion by assigning to husband liability for jointly held judgments.

Husband contends that the district court abused its discretion by assigning to him all liability for "jointly held judgments for renting of the jointly held property." Debts "are apportionable, and each division of property is considered in the light of the particular facts of that case." *Chamberlain v. Chamberlain*, 615 N.W.2d 405, 414 (Minn. App. 2000), *rev. denied* (Minn. Oct. 25, 2000). A district court has discretion to allocate debts incurred during marriage, *Dahlberg v. Dahlberg*, 358 N.W.2d 76, 80 (Minn. App. 1984), and we will affirm the division of a debt if it has "an acceptable basis in fact and principle," *see Antone*, 645 N.W.2d at 100.

At trial, wife testified that—without her consent and over her objection—husband rented out the Wisconsin cabin and their marital home for profit, which led to litigation and judgments against the parties and their properties. Husband acknowledged renting the properties and that doing so led to litigation. With that basis in fact, the district court found that the judgments were "as a result of [husband's] conduct."

Based upon that finding of fact, the district court acted well within its discretion by allocating the debt to husband due to his unilateral acts and sole responsibility for incurring the debt. *See Dahlberg*, 358 N.W.2d at 80 (affirming allocation of debt and noting that "most of the debts appear to have been amassed by the appellant without consulting the respondent"). On this record, the district court did not abuse its discretion by assigning solely to husband all of the judgments.

IV. The district court did not abuse its discretion by denying husband spousal maintenance.

Husband argues that the district court abused its discretion by denying his request for spousal maintenance. A district court may award spousal maintenance if it finds that the party lacks sufficient property or is otherwise unable to provide for their reasonable needs in light of the marital standard of living. Minn. Stat. § 518.552, subd. 1 (2024). We review a district court's denial of spousal maintenance for an abuse of discretion. *Schmidt v. Schmidt*, 964 N.W.2d 221, 226 (Minn. App. 2021).

Husband asserted that he had $4,081 in monthly living expenses and was unemployed, and he requested $4,000 in monthly spousal maintenance. The district court found that husband has "the work history, skills and resources to work full time in the construction trades or as a contractor sufficient for him to earn income to meet his claimed $4,081/month living expenses." Based upon that finding, the district court determined that husband had not shown a need for spousal maintenance.

On appeal, husband argues that the district court abused its discretion by denying his request for spousal maintenance because he can no longer earn income by renting the parties' properties. But husband has not demonstrated how the district court clearly erred in its operative finding that his work history and skills demonstrated that he could work full-time and earn the income to meet his claimed monthly expenses. Accordingly, husband's challenge to the district court's denial of spousal maintenance fails.

V. The district court did not abuse its discretion by denying husband's motion to transfer this matter to a different judicial district.

Husband challenges the district court's order denying his motion to have the entire Tenth Judicial District recuse from this matter and send the case to a different judicial district. We will not reverse the denial of a recusal motion absent an abuse of the court's "broad discretion." *Matson v. Matson*, 638 N.W.2d 462, 465 (Minn. App. 2002).

Husband contends that the judges in the Tenth Judicial District could not impartially decide this case due to a pending lawsuit that he had against the district and "some of its judges." He does not, however, identify any districtwide concern or some specific inquiry that might otherwise warrant recusal of every judge in the district. *See Hooper v. State*, 838 N.W.2d 775, 790 (Minn. 2013) (stating "cases requiring the recusal of an entire bench have involved unique facts—such as a direct threat or injury to all of the judges in the district"). Husband's declaration that all of the judges needed to recuse "does not in itself generate a reasonable question as to the . . . impartiality" of the judge who handled the case, *id.*, especially because he did not file a motion seeking recusal of that specific judge. Given the vague and generalized nature of husband's request for districtwide recusal, the district court did not abuse its discretion by denying the recusal motion.

VI. The district court did not abuse its discretion by awarding the net-loss carryover from prior litigation to husband as an asset.

Husband challenges the district court's decision to allocate an asset to him. We will affirm the district court's exercise of discretion in dividing property if it "had an acceptable basis in fact and principle." *Antone*, 645 N.W.2d at 100.

Husband challenges the district court's determination that a tax-deductible net-loss carryover—that resulted from a prior litigation—was an asset and contends that the court abused its discretion by allocating that asset to him. We have limited information in the record about the net-loss carryover; what we do have comes from the parties' testimony.

Wife testified that the parties paid a judgment that stemmed from litigation related to a house that husband built. According to wife's testimony, husband claimed that judgment as a net-operating loss for tax purposes, which has a value of $300,000 and could be claimed for future taxes. Wife requested that the net-operating loss be awarded to husband as an asset. Husband was asked at trial about wife wanting the net-loss carryover allocated to him. When responding, husband did not dispute that it was "joint" and testified, "No, I'd like to split that."

Because husband did not dispute that the tax-deductible net-loss carryover was an asset, we see no basis for concluding that the district court abused its discretion by treating it as an asset. And wife's testimony—that the judgment stemmed from husband's work on constructing a house and that husband had claimed it as an asset—provided a reasonable basis in fact for the district court's decision to allocate that asset to husband.

Affirmed; motion denied.