

*This opinion is nonprecedential except as provided by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
A26-0039**

State of Minnesota,
Respondent,

vs.

Royden Helsing,
Appellant.

**Filed July 27, 2026
Affirmed
Larkin, Judge**

Beltrami County District Court
File No. 04-CO-25-41

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

Katie Nolting, Bemidji City Attorney, Anna M. Emmerling, Assistant City Attorney,
Bemidji, Minnesota (for respondent)

Ryan Mckinney, Mckinney Defense, PLLC, St. Louis Park, Minnesota (for appellant)

Considered and decided by Bratvold, Presiding Judge; Larkin, Judge; and Reyes,
Judge.

NONPRECEDENTIAL OPINION

LARKIN, Judge

Appellant challenges the district court's contempt order imposing an immediate ten-day jail sanction based on his disruptive conduct during a hearing, which culminated in

him calling the presiding judge a profane and derogatory name. We discern no abuse of discretion and affirm.

FACTS

In February 2025, appellant Royden Helsing sued Gary Carlson in conciliation court. On December 10, 2025, the parties appeared via Zoom for a hearing in district court. Based on his behavior at the hearing, the district court issued an order finding Helsing in direct contempt of court.

As support for the contempt order, the district court made the following findings:

On December [10], 2025, Mr. Helsing appeared for a conciliation hearing. During the hearing, Mr. Helsing repeatedly interrupted the Court. He disregarded the Court's direction to wait until it was his turn to speak. This continued throughout the hearing despite the Court's instructions.

When Mr. Carlson would address the Court, Mr. Helsing laughed. The Court admonished Mr. Helsing to not interrupt the Court's discussions with another party. Mr. Helsing continued the disruptive behavior by calling Mr. Carlson inflammatory names such as a "Con" and interrupting when the Court addressed Mr. Carlson.

Mr. Helsing became increasingly disruptive and showed immense disrespect for the proceedings in his actions and comments. Mr. Helsing spoke directly to this judge and said: "I got something to say. I got something to say, f-cking c-nt."

After finding Helsing in direct contempt of court, the district court ordered him to serve ten days in jail as punishment for the contempt. The district court also ordered Helsing to report to the Beltrami County Jail to serve his sentence "immediately."¹

¹ Helsing has never reported to serve his contempt sentence, and a warrant remains active for his arrest.

On December 18, 2025, Helsing requested reconsideration. His reconsideration request was scheduled for a hearing. Before that hearing, Helsing filed a petition for a writ of prohibition with the clerk of the appellate courts. Because Helsing had applied for a writ of prohibition from this court, the district court questioned whether it had jurisdiction to rule on Helsing’s request for reconsideration and took no action on the request.

In his petition, Helsing stated that “[t]o the extent the Court disagrees with the use of a Writ of Prohibition for review, we submit that the Court may construe this matter as a criminal appeal.” On January 8, 2026, this court issued an order determining that Helsing’s petition for a writ of prohibition would be construed as an appeal from a final judgment in a misdemeanor case. Helsing did not seek further review of our order.

DECISION

Appellate courts review a district court’s decision to invoke its contempt powers for an abuse of discretion. *In re Welfare of Child. of J.B.*, 782 N.W.2d 535, 538 (Minn. 2010). Specifically, a contempt order is reviewed “for arbitrariness, capriciousness, and oppressiveness.” *State v. Tatum*, 556 N.W.2d 541, 547 (Minn. 1996).

“Traditionally, the law of contempt in Minnesota has been organized around two classifications—one judicially crafted and the other statutorily mandated.” *Id.* at 544. Minnesota caselaw recognizes two types of contempt orders: punitive and remedial. *Id.* The primary purpose of a punitive or “criminal” contempt order is to “vindicate the court’s authority by punishing the contemnor for past behavior.” *Id.* By contrast, the primary purpose of a remedial or “civil” contempt order is to “vindicate the

rights of a party by imposing a sanction that will be removed upon compliance with a court order that has been defied.” *Id.*

In addition, Minnesota Statutes specify two types of contemptuous behavior: direct and constructive. Minn. Stat. § 588.01, subd. 1 (2024). Direct contempt occurs “in the immediate view and presence of the [district] court” and arises from either “(1) disorderly, contemptuous, or insolent behavior toward the judge while holding court, tending to interrupt the due course of a . . . judicial proceeding[],” or “(2) a breach of the peace, boisterous conduct, or violent disturbance, tending to interrupt the business of the court.” *Id.*, subd. 2 (2024). Constructive contempt, on the other hand, does not occur in the immediate presence of the court and arises from various other types of misconduct. *Id.*, subd. 3 (2024).

Here, the district court found Helsing in direct contempt of court and summarily sentenced him to serve ten days in jail for punitive or “criminal” purposes. *See id.*, subd. 2 (defining direct contempt); *Tatum*, 556 N.W.2d at 544, 546 (defining “criminal” contempt orders as punitive); *cf.* Minn. Stat. § 588.03 (explaining the requirements for summary punishment for direct contempt).

I.

Helsing contends that “[a] person summarily sentenced to imprisonment is entitled to review via writ of prohibition.” But we have already ordered that Helsing’s petition for a writ of prohibition would be construed as an appeal, and “[n]o petition for rehearing shall be allowed in the Court of Appeals.” Minn. R. Civ. App. P. 140.01. We therefore do not reconsider our order.

II.

Helsing contends that the district court “erroneously invoked its power to summarily imprison [him] because the judge lacked personal knowledge of the operative facts necessary to distinguish direct contempt from constructive contempt.” Specifically, Helsing argues that, because the judge “had no idea whether [his] conduct was caused” by a volitional act, as opposed to a mental condition, this was a case of constructive contempt.

Again, direct contempt occurs “in the immediate view and presence of the [district] court” and arises from either “(1) disorderly, contemptuous, or insolent behavior toward the judge while holding court, tending to interrupt the due course of a . . . judicial proceeding[],” or “(2) a breach of the peace, boisterous conduct, or violent disturbance, tending to interrupt the business of the court.” Minn. Stat. § 588.01, subd. 2. In contrast, constructive contempt does not occur in the immediate presence of the court and arises from various other types of misconduct. *Id.*, subd. 3.

The district court found Helsing in direct contempt of court because he repeatedly interrupted the court and his opposing party, disregarded the district court’s direction to wait until it was his turn to speak, laughed when his opposing party addressed the court, called his opposing party inflammatory names, and addressed the district court judge as a “f-cking c-nt.” This conduct occurred in the presence and view of the district court during a hearing. The conduct was disorderly, contemptuous, and insolent behavior toward the judge intending to interrupt the course of the judicial proceeding. *See id.*, subd. 2. The conduct was also a breach of the peace, boisterous, and interrupted the business of the

district court. *See id.* Because the statutory definition of contempt does not contain an intent requirement, the cause of Helsing's conduct is immaterial.

In addition, "where the judgment asserts that the manner was contemptuous and insolent, we must, in support of the judgment, take such to be the fact, unless the contrary be shown." *In re Cary*, 206 N.W. 402, 403-04 (Minn. 1925). Thus, it is Helsing's burden to show that his conduct was not contemptuous and insolent. His unsupported assertion that his conduct may have been caused by a mental-health condition does not satisfy his burden.

Helsing also asserts that it is "unclear" how the district court judge determined that his comment was directed at her as opposed to Carlson. Helsing's argument does not show that the district court clearly erred by finding that his statement, "f-cking c-unt," was directed at the presiding judge. *See* Minn. R. Civ. P. 52.01 (stating that findings of fact "shall not be set aside unless clearly erroneous"); *Fletcher v. St. Paul Pioneer Press*, 589 N.W.2d 96, 101 (Minn. 1999) (stating that a finding of fact is clearly erroneous if we are left with a definite and firm conviction that a mistake was made); *In re Cary*, 206 N.W. at 403 (stating that we defer to a district court's finding of direct contempt because "the sneering, sarcastic, and insolent manner in which words are spoken is obvious to those who hear them, but is shown very imperfectly, if at all, by the printed record").

In sum, the district court did not abuse its discretion in finding that Helsing's conduct constituted direct contempt.

III.

Helsing contends that the district court “erred by failing to provide a clear, direct, and prospective warning” before imposing summary punishment and that the failure to do so violated Helsing’s right to due process. Helsing also contends that we should hold that “Due Process requires, whenever practical, the right to allocution.”

Minnesota Statutes section 588.03 provides that direct contempt “may be punished summarily, for which an order shall be made reciting the facts as occurring in the immediate view and presence of the court or officer, and adjudging the person proceeded against to be guilty of a contempt, and that the person be punished as therein specified.” The statute does not require the district court to provide either a warning or a right of allocution before imposing summary punishment for direct contempt. The district court complied with the statutory requirements: it recited the facts supporting its direct contempt finding, specified that this conduct occurred in the immediate view and presence of the court, stated that Helsing was in direct contempt of court, and ordered that Helsing “immediately” report to serve ten days in county jail as punishment for the contempt.

Helsing argues that, “[i]n the context of summary punishment for direct contempt . . . Due Process should require a clear, direct, and prospective warning that behavior has crossed, or is about to cross, the line.” He relies on *State v. Martin*, 555 N.W.2d 899 (Minn. 1996). But, *Martin* addresses warnings to witnesses, and not to parties. *See id.* at 902-03 (noting that “whenever practical, courts should warn recalcitrant witnesses of the potential consequences of refusal to answer prior to imposing sanctions and should dispose of direct contempt charges as expeditiously as possible”). Moreover,

Martin does not mandate a warning in all circumstances. *See id.* (suggesting a warning “whenever practical”).

Finally, Helsing argues that *Taylor v. Hayes* supports his due process argument. 418 U.S. 488 (1974). In *Taylor*, defense counsel was informed on nine separate occasions during trial that he was in contempt of court. *Id.* at 490. But the presiding judge waited until after the trial concluded to make a record regarding counsel’s conduct and refused to let counsel respond before imposing punishment for nine counts of contempt. *Id.* The Supreme Court held that proceeding summarily *after* the trial to punish counsel for alleged contempt committed *during* the trial, without giving counsel an opportunity to be heard, denied counsel due process. *Id.* at 497. The Court noted that “[t]he usual justification of necessity is not nearly so cogent when final adjudication and sentence are postponed until after trial.” *Id.* (citation omitted).

The facts of *Taylor* are distinguishable from this case. Here, all the contemptuous conduct occurred during a single hearing. And the district court made its contempt determination at that hearing—immediately after the most egregious of the offenses—and imposed a jail sanction, to be served “immediately.” These circumstances demonstrate that the district court judge summarily punished Helsing for direct contempt out of necessity and to maintain order in the courtroom. Unlike *Taylor*, the imposition of punishment was not delayed until days after the offending conduct.

In sum, Helsing’s argument that his conduct “cannot be deemed intentional until there is a clear warning that continuation will result in imprisonment” is unsupported and

unpersuasive.² “Nothing in the statute requires that the district court mildly respond to parties who explode contemptuously in front of the court, the jury, court staff, the attorneys, or the public in tantrums that interrupt or debase the administration of justice.” *State v. Schloegl*, 915 N.W.2d 14, 21 (Minn. App. 2018), *rev. denied* (Minn. July 17, 2018).

Helsing’s argument that “Due Process requires, whenever practical, the right to allocution” is similarly unsupported. Nothing in the statute or caselaw requires the district court to allow allocution before adjudicating an individual guilty of direct contempt and imposing a sanction.

Because the requirements Helsing asks us to impose are not set forth in statute or caselaw, we reject his due process claim.

IV.

Finally, Helsing contends that the district court “abused its discretion by sentencing [him] to 10 days in jail because lesser options would suffice.” Specifically, Helsing contends that “[t]en days of imprisonment is an excessive penalty” and that “fines, classes, or other sentencing conditions short of imprisonment could have been ordered” instead. The state responds that “the imposition of a ten-day jail sanction for Helsing’s repeated

² Nonetheless, the district court’s order indicates that, after Helsing repeatedly interrupted the proceeding, the district court directed him to wait until it was his turn to speak and admonished him not to interrupt the court’s discussions with another party. Although the district court did not warn Helsing that it could impose a summary punishment for direct contempt, it notified him that his behavior was unacceptable. Yet Helsing continued his disruptive and disrespectful behavior, which culminated in his profane insult of the presiding judge. In sum, Helsing’s suggestion that he had no reason to expect a consequence for his behavior absent an explicit warning of the possibility of a contempt sanction rings hollow.

outbursts and inappropriate language is very reasonable” and that the district court “could have justifiably imposed a sanction greater than ten days.”

Caselaw supports the state’s position. For example, in *State v. Oberton*, the supreme court reviewed a contempt order based on Oberton’s “prolonged profanity-laced outburst that included statements directly impugning the dignity of the court.” 10 N.W.3d 64, 68 (Minn. 2024). Although the supreme court vacated the 180-day sentence imposed by the district court, it imposed a 90-day sentence for Oberton’s contemptuous conduct. *Id.* at 73-74.

In *State v. Lingwall*, Lingwall stated: “This is f—king stupid,” “My f—king ass,” and “Suck my d—k, too” in response to the district court’s ruling at a hearing. 637 N.W.2d 311, 312-13 (Minn. App. 2001). We held that a six-month contempt sentence—double the ordinary 90-day maximum—was warranted due to Lingwall’s “highly aggravated verbal attack on the court’s authority,” which was “extremely disrespectful, totally unprovoked, and continued even in the face of the court’s findings of continued contempt.” *Id.* at 314.

And in *Schloegl*, when the district court asked Schloegl whether he intended to call any witnesses during a trial, he “responded angrily with two profanities directed at the court,” had an outburst, and threw a pitcher on the ground. 915 N.W.2d at 17. This court upheld the district court’s imposition of a 90-day contempt sentence for that conduct. *Id.* at 22.

Helsing’s conduct is no less offensive, yet he received only a ten-day sanction. That sanction was not an abuse of discretion.

Helsing urges us to consider that he was a self-represented litigant who is not “hardened by daily confrontation and conflict the way that judges and lawyers are,” and as a result, he could not “be expected to maintain emotional control at the same level.” He argues that “[e]motions, tempers, and bad words should be expected in such situations.” But it is well settled that self-represented litigants are generally held to the same standards as attorneys and must comply with court rules and procedures. *See Fitzgerald v. Fitzgerald*, 629 N.W.2d 115, 119 (Minn. App. 2001) (“Although some accommodations may be made for pro se litigants, this court has repeatedly emphasized that pro se litigants are generally held to the same standards as attorneys and must comply with court rules.”). One of these rules is that “[d]ignity and solemnity shall be maintained in the courtroom whether in person or using remote technology.” Minn. Gen. R. Prac. 2.01, subd. (a). Helsing’s conduct clearly violated that rule.

In sum, this court has upheld longer contempt sentences for conduct similar to Helsing’s. We discern no abuse of discretion in the district court’s imposition of a ten-day jail sentence for Helsing’s contemptuous behavior during his hearing.

We end with an early statement from the Minnesota Supreme Court emphasizing that criminal contempt orders will not lightly be reversed:

While we have jurisdiction to review an order punishing for a criminal contempt, the decision of the court making it is not to be lightly reversed. The opportunity of the court, in whose presence an alleged contempt is committed, to know and determine whether the acts or words were done or said in disregard and contempt of its authority is vastly greater than we can have from merely reading the record of such acts or words. Acts or words, when stated in writing, may appear to have been entirely innocent, but may have been done or spoken

in such a manner as to have been in the highest degree a breach of the respectful conduct due to courts when in the discharge of their duty, and of the decorum and good order that ought to be observed in their presence to enable them to properly perform their functions. For this reason we do not think we state the rule too strongly when we say that *an order adjudging a criminal contempt ought not to be reversed unless it is so apparent that no contempt was committed as to indicate that the court exercised its authority capriciously, oppressively, and arbitrarily.*

State ex rel. Leftwich v. Dist. Ct., 42 N.W. 598, 598-99 (1889) (emphasis added). But the supreme court also stated that “[a] case might be supposed where acts or words alleged as a contempt could not under any circumstance be contemptuous, and in such a case we would probably be justified in reversing an order adjudging the party guilty.” *Id.*

This is not such a case.

Affirmed.