

*This opinion is nonprecedential except as provided by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
A26-0098**

Lavell Jacvon Piggie, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed September 8, 2026
Affirmed
Ede, Judge**

Hennepin County District Court
File No. 27-CR-22-4908

Cathryn Middlebrook, Chief Appellate Public Defender, Jennifer Lauermann, Assistant Public Defender, St. Paul, Minnesota (for appellant)

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

Mary F. Moriarty, Hennepin County Attorney, Robert I. Yount, Assistant County Attorney, Minneapolis, Minnesota (for respondent)

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

NONPRECEDENTIAL OPINION

EDE, Judge

This is an appeal from a district court's order denying appellant's petition for postconviction relief. Appellant argues that the district court abused its discretion in denying his postconviction petition without an evidentiary hearing and asserts that the court

should have permitted him to withdraw his guilty pleas to correct a manifest injustice because the pleas were not constitutionally valid. In particular, appellant claims that his pleas were (A) inaccurate because the district court relied on items outside the record to determine whether there was an adequate factual basis and (B) involuntary due to ineffective assistance of trial counsel. We affirm.

FACTS

Respondent State of Minnesota charged appellant Lavell Jacvon Piggie with two counts of second-degree murder, in violation of Minnesota Statutes section 609.19, subdivision 1(1) (2020). In addition, a grand jury returned an indictment charging Piggie with two counts of first-degree premeditated murder, in violation of Minnesota Statutes section 609.185(a)(1) (2020).

Under an agreement between the parties, Piggie ultimately pleaded guilty to two counts of second-degree intentional murder, and the state dismissed the two counts of first-degree premeditated murder. In entering his guilty pleas, Piggie affirmed that he understood the terms and consequences of his agreement with the state. During his plea colloquy, Piggie agreed that he shot both of the victims multiple times, including by firing into the victims' heads. He also admitted that, when he squeezed the trigger, he intended to kill the victims, and that the bullets he discharged caused the victims' deaths. And Piggie affirmed that his decision to plead guilty was free and voluntary and that he was pleading

guilty because he believed he was guilty. The district court ordered a presentence investigation (PSI)¹ and set the matter for a sentencing hearing.

During the PSI process, Piggie admitted the allegations set forth in the complaint, including that he thought one victim had stolen drugs from him. Piggie’s trial counsel retained a dispositional advisor who prepared an alternative PSI, which reported that Piggie accepted responsibility for the offenses, that he believed he had no choice because of the missing drugs, and that he was remorseful for killing the second victim.

At the sentencing hearing, Piggie argued for a sentence at the bottom of the sentencing guidelines range. The district court imposed sentences at the top of that range—two consecutive sentences of 306 months’ imprisonment, with 508 days’ credit for time served.

Piggie’s trial counsel passed away 11 months after sentencing. Appellate counsel began representing Piggie and petitioned for postconviction relief. Piggie sought to withdraw his guilty pleas, claiming that they were not accurate, voluntary, or intelligent, and that he had received ineffective assistance of trial counsel.

¹ Some documents in the record are inaccessible to the public. *See* Minn. R. Pub. Access to Recs. of Jud. Branch 4, subd. 1. But “[w]e are not precluded ‘from mentioning the contents’ of confidential or sealed documents when the information is ‘relevant to the particular issues or legal argument being addressed in the proceeding.’” *Cook v. Trimble*, 22 N.W.3d 196, 201 n.1 (Minn. App. 2025) (quoting Minn. R. Pub. Access to Recs. of Jud. Branch 4, subd. 4), *rev. granted* (Minn. Aug. 12, 2025). We also are not “constrained from disclosing information contained in the publicly filed briefs.” *Id.* Any reference to confidential documents herein is based on the parties’ publicly filed briefs, other public records, or is relevant to our determination of the issues presented in this appeal.

The district court denied Piggie’s petition without an evidentiary hearing, reasoning that the record showed Piggie’s guilty pleas were valid and that Piggie had not established that his trial counsel rendered ineffective assistance.

This appeal follows.

DECISION

Piggie contends that the district court abused its discretion in denying his postconviction petition without an evidentiary hearing. He maintains that the district court should have permitted him to withdraw his guilty pleas to correct a manifest injustice because the pleas were not constitutionally valid. More specifically, Piggie argues that his pleas were (A) inaccurate because the district court relied on items outside the record to determine whether there was an adequate factual basis and (B) involuntary due to ineffective assistance of trial counsel. As explained below, we conclude that these arguments are unavailing.

“Minnesota Rule of Criminal Procedure 15.05, subdivision 1, allows a defendant to withdraw a guilty plea at any time when it is necessary to correct a manifest injustice.” *State v. Torrez*, 34 N.W.3d 685, 690 (Minn. 2026) (quotations omitted). Appellate courts “have repeatedly held that such ‘manifest injustice’ exists when a guilty plea is not constitutionally valid.” *Id.* “To be constitutionally valid, a guilty plea must be accurate, voluntary, and intelligent.” *Id.* (quotation omitted).

“In determining whether a petitioner is entitled to an evidentiary hearing, a postconviction court accepts the facts alleged in the petition as true and construes them in the light most favorable to the petitioner.” *Glover v. State*, 33 N.W.3d 212, 217 (Minn.

2026) (quotation omitted). “A petitioner bears the burden to show facts entitling them to relief and, to meet that burden, must do more than offer conclusory, argumentative assertions, without factual support.” *Id.* (quotation omitted). “A postconviction court may summarily deny a petition without holding an evidentiary hearing when ‘the petition and the files and records of the proceeding conclusively show that the petitioner is entitled to no relief.’” *Id.* (quoting Minn. Stat. § 590.04, subd. 1 (2024)). “Although [appellate courts] review the denial of an evidentiary hearing and a petition for postconviction relief for an abuse of discretion, the overall question of whether [the petitioner’s] guilty plea was valid presents a question of law that [appellate courts] review de novo.” *Dikken v. State*, 896 N.W.2d 873, 876 (Minn. 2017) (citations omitted).

Guided by this framework, we address Piggie’s arguments in turn.

A. Piggie’s guilty pleas are accurate.

An accurate plea protects a defendant from pleading guilty to a more serious charge than what the defendant could be convicted of if they were to proceed to trial. *State v. Epps*, 977 N.W.2d 798, 801 (Minn. 2022). “To be accurate, a plea must be established on a proper factual basis.” *Lussier v. State*, 821 N.W.2d 581, 588 (Minn. 2012) (quotation omitted). A proper factual basis exists when “the record contains sufficient evidence to support a conclusion that the defendant is guilty of at least as great a crime as that to which he pled guilty.” *State v. Jones*, 7 N.W.3d 391, 396 (Minn. 2024). And “a defendant may not withdraw his plea if the record contains sufficient evidence to support the conviction.” *Id.* (quotations omitted).

In *Rosendahl v. State*, the appellant challenged the accuracy of his guilty plea, and the state urged us to consider allegations that were set forth in the criminal complaint. 955 N.W.2d 294, 298 (Minn. App. 2021). We rejected that argument and concluded that the appellant’s testimony during the plea colloquy did not establish a sufficient factual basis for his guilty plea to second-degree assault. *Id.* at 298–302. More precisely, we reasoned that, because the appellant “did not expressly testify as to the truthfulness and accuracy of the[] allegations of the complaint during his colloquy, the allegations are not part of the record and we cannot consider them in assessing the accuracy of his plea.” *Id.* at 300. “Because [the appellant’s] plea colloquy did not support his guilty plea . . . and we may not consider the contents of the complaint to establish by inference a factual basis for [a guilty] plea,” we reversed in part and remanded for the district court to “allow [the appellant] to withdraw his plea and vacate his conviction.” *Id.* at 298.

Piggie relies on *Rosendahl* to contend that, in determining that his guilty pleas were accurate as to whether he acted with the intent to cause the victims’ deaths, the district court improperly relied on his admissions during the court-ordered and alternative PSI processes. But this case is distinguishable from *Rosendahl*. Here, the district court grounded its decision to deny Piggie’s postconviction petition in its determination that each element of the offenses was supported by an adequate factual basis in the record of the plea colloquy itself, during which Piggie admitted that he intended to kill both victims when he fired the shots that did so. While the district court also observed that Piggie’s statements during his plea colloquy were “corroborated by his consistent admissions during both PSIs,” the court did not improperly rely on the PSIs to decide that there was an adequate

factual basis. The district court merely noted the consistency between Piggie’s plea colloquy and the two PSIs. Indeed, Piggie provided an adequate factual basis by affirming during the plea colloquy that the victims died because he shot them multiple times and that he intended to kill them.

Accepting the allegations in Piggie’s postconviction petition as true and construing them in the light most favorable to him, we conclude that he has not met his burden of alleging facts entitling him to relief. *See Glover*, 33 N.W.3d at 217. Rather, the petition, files, and records of this proceeding conclusively show that Piggie is entitled to no relief on his claim that his guilty pleas are inaccurate. *See id.* Given the entirety of the plea colloquy—without relying on Piggie’s admissions in the PSIs—we conclude that his guilty pleas are accurate.

B. Piggie’s guilty pleas are voluntary.

“In order for a guilty plea to be valid, it must be made voluntarily.” *State v. Ecker*, 524 N.W.2d 712, 718 (Minn. 1994). “When an accused is represented by counsel, the voluntariness of the plea depends on whether counsel’s advice was within the range of competence demanded of attorneys in criminal cases.” *Id.* (quotations omitted). The Minnesota Supreme Court has “held that, to receive an evidentiary hearing on a postconviction claim of ineffective assistance of counsel, a defendant is required to allege facts that, if proven by a fair preponderance of the evidence, would satisfy the two-prong test announced in *Strickland v. Washington*, 466 U.S. 668, 687 (1984).” *Id.* at 504 (quotation and citation omitted).

“The two prongs of the *Strickland* test are: (1) the defendant must prove that counsel’s representation fell below an objective standard of reasonableness; and (2) the defendant must prove there was a reasonable probability that, but for counsel’s errors, the result of the proceeding would have been different.” *Id.* (citing *Strickland*, 466 U.S. at 687–96). “An attorney meets the objectively reasonable standard when the attorney exercises the customary skills and diligence that a reasonably competent attorney would perform under similar circumstances.” *Eason v. State*, 950 N.W.2d 258, 268 (Minn. 2020) (quotation omitted). “A strong presumption exists that counsel’s performance was reasonable.” *Id.* (quotations omitted). Appellate courts “may address the prongs in either order, and a claim may be disposed of on one prong without analyzing the other.” *Id.*

Because we conclude that Piggie did not allege facts in his postconviction petition that, if proven by a fair preponderance of the evidence, would satisfy the first *Strickland* prong, our analysis begins and ends with his claim that his trial counsel’s representation fell below an objective standard of reasonableness. *See id.*

Piggie’s first contention, that his trial counsel provided deficient performance by failing to ensure that Piggie’s guilty pleas were supported by a sufficient factual basis, is foreclosed by our contrary conclusion above in section A.

His second contention, that he “felt undue pressure to plead guilty when his trial counsel refused to fight for him,” is repudiated by his multiple admissions during the colloquy that no one had made threats or promises to induce his guilty plea. Moreover, Piggie acknowledged that he understood the evidence, his options, the rights he was waiving, and what he was doing in pleading guilty:

DISTRICT COURT: Your decision to plead guilty to these two charges, is it a free and voluntary decision on your part?

PIGGIE: Yes.

DISTRICT COURT: Nobody's making you do this?

PIGGIE: No.

DISTRICT COURT: You don't feel pressured or coerced into pleading guilty?

PIGGIE: No.

DISTRICT COURT: Are you pleading guilty because you believe you are guilty of both of these charges?

PIGGIE: Yes.

In his last contention, Piggie points out that the district court described his trial counsel as a “highly experienced criminal attorney with decades of felony trial experience and professional recognition within Minnesota’s criminal defense community,” and that the court cited a news article that neither party had provided the court. But after that citation, the district court based its determination on “[t]he record,” which the court stated “demonstrates that [Piggie’s trial counsel] provided active, strategic, and competent representation throughout the proceedings.” And the district court referenced specific examples from the record—apart from the cited news article—evincing that Piggie’s trial counsel exercised the customary skills and diligence that a reasonably competent attorney would perform under similar circumstances, including: (1) that “counsel negotiated the dismissal of two first-degree premeditated murder counts, each carrying a mandatory life sentence without release,” which “constitutes sound plea-bargaining strategy and falls squarely within reasonable professional judgment”; (2) that “counsel pursued mitigation by engaging an independent dispositional evaluator and presented argument for a sentence at the bottom of the guidelines range,” which “is consistent with diligent representation and is not indicative of deficient performance”; (3) that “nothing in the plea colloquy, PSI

materials, or sentencing transcript suggests that [Piggie] was confused, misinformed, or coerced in any way as a result of counsel's advice," and that Piggie instead "confirmed under oath that he understood the plea, the evidence, his options, and the rights he was waiving." *See id.*

Taking the allegations in Piggie's postconviction petition as true and considering them in the light most favorable to him, we conclude that he has not met his burden of alleging facts that, if proven by a fair preponderance of the evidence, would overcome the strong presumption that his trial counsel's performance was reasonable. *See Glover*, 33 N.W.3d at 217; *see also Eason*, 950 N.W.2d at 268. We therefore discern no abuse of discretion in the district court's determination that the petition, files, and records of this proceeding conclusively show that Piggie is not entitled to relief on his claim that his guilty pleas are involuntary. *See Glover*, 33 N.W.3d at 217.

Affirmed.