

*This opinion is nonprecedential except as provided by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
A26-0181**

Dpree Shareef Robinson, petitioner,
Appellant,

vs.

State of Minnesota,
Respondent.

**Filed August 24, 2026
Affirmed
Johnson, Judge**

Hennepin County District Court
File No. 27-CR-22-3358

Cathryn Middlebrook, Chief Appellate Public Defender, Eva F. Wailes, Assistant Public Defender, St. Paul, Minnesota (for appellant)

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

Mary F. Moriarty, Hennepin County Attorney, Elizabeth Scoggin, Assistant County Attorney, Minneapolis, Minnesota (for respondent)

Considered and decided by Johnson, Presiding Judge; Smith, Tracy M., Judge; and Bentley, Judge.

NONPRECEDENTIAL OPINION

JOHNSON, Judge

Dpree Shareef Robinson pleaded guilty to second-degree intentional murder based on his admission that he shot and killed a nine-year-old child. Robinson petitioned for postconviction relief, arguing that his guilty plea was not voluntary and not intelligent and

that his attorney provided him with ineffective assistance of counsel. The postconviction court conducted an evidentiary hearing at which Robinson, his former attorney, and a prosecutor testified. The postconviction court found that Robinson's guilty plea was voluntary and intelligent and that his former attorney did not provide him with constitutionally ineffective assistance of counsel. We affirm.

FACTS

On May 15, 2021, Robinson drove to a house in Minneapolis intending to shoot a particular person. Robinson drove through an alley toward the backyard of the house. Robinson fired multiple shots across the backyard toward the house. One gunshot struck and killed T.O.S., a nine-year-old girl, while she was jumping on a trampoline.

In February 2022, the state charged Robinson with one count of second-degree intentional murder, in violation of Minn. Stat. § 609.19, subd. 1(1) (2020). In July 2022, a grand jury returned an indictment that charged Robinson with three counts of first-degree murder, in violation of Minn. Stat. § 609.185(a)(1), (a)(3) (2020).

In March 2023, on the morning of the day for which trial had been scheduled, Robinson and the state entered into a plea agreement. Robinson agreed to plead guilty to one count of second-degree intentional murder, in violation of Minn. Stat. § 609.19, subd. 1(1), and agreed to an aggravated sentence of 450 months of imprisonment.

In April 2023, before sentencing, Robinson moved to withdraw his guilty plea on the grounds that the plea was not voluntary and not intelligent because he was in pain due to a recent surgery and had been taking prescription pain-killer medication. The district

court denied the motion. In July 2025, the district court imposed the agreed-upon sentence of 450 months of imprisonment. Robinson did not pursue a direct appeal.

In October 2024, while represented by a new attorney, Robinson filed a postconviction petition that asserted two grounds for relief. First, Robinson alleged that his guilty plea was not voluntary and not intelligent because his attorney pressured him into pleading guilty and because he was under the influence of oxycodone. Second, Robinson alleged that his attorney provided him with ineffective assistance of counsel by pressuring him to plead guilty at a time when he was “feeling the effects of the medication.”

The postconviction court conducted an evidentiary hearing on one day in June 2025. Four witnesses testified. Robinson called the attorney who represented him at the time of his guilty plea and testified on his own behalf. The state called a nurse employed in the Hennepin County jail, who had overseen the administration of oxycodone to Robinson, and one of the prosecutors who represented the state at the plea hearing.

In December 2025, the postconviction court filed a 29-page order and memorandum containing detailed findings of fact and a discussion of the applicable law. The postconviction court recited Robinson’s affirmations during the plea hearing: that he wanted to plead guilty, that he had sufficient time to talk to his attorney, that he understood the rights he was giving up, that he had reviewed the plea petition “line by line” before signing it, and that he did not have any additional questions for the court. Robinson also confirmed at the plea hearing that he recently had had hernia surgery and was taking “sleeping pills and Advil” but agreed that he was “of a clear mind” and “was able to think clearly.”

Based on the testimony of Robinson's former attorney, which the postconviction court found credible, the postconviction court found that Robinson's attorney was aware of Robinson's inexperience with the criminal justice system and his recent surgery. The postconviction court found that the attorney knew that Robinson had stopped taking oxycodone more than 24 hours earlier and that Robinson told the attorney that he was not under the influence of oxycodone that morning. The postconviction court found that Robinson and his attorney "had a back-and-forth discussion" and that Robinson seemed to understand the plea offer. The postconviction court found that Robinson previously had told his attorney that he was "open to the possibility of accepting a plea deal" that would result in a sentence shorter than life in prison. The postconviction court found that Robinson's attorney "did not . . . improperly pressure" Robinson.

Based on the testimony of the prosecutor, which the postconviction court found credible, the postconviction court found that the plea offer was the result of a negotiation and was communicated to Robinson's attorney the day before the trial date. The postconviction court found that the prosecutor "has seen people come to court while intoxicated" but "did not observe any signs that Mr. Robinson was intoxicated . . . at the plea hearing."

Based on the testimony of the jail nurse, which the postconviction court found credible, the postconviction court found that Robinson was prescribed doses of five milligrams of oxycodone, which is considered a "very low dose," the effects of which typically are felt for four to six hours. The postconviction court found that Robinson's last dose of oxycodone was administered during the evening of March 3, 2023. The

postconviction court found that Robinson would not feel the effects of oxycodone three days later, on March 6, 2023, the day of the plea hearing.

The postconviction court found Robinson’s testimony to be *not* credible “except when corroborated by other evidence.” The postconviction court specifically found that Robinson’s claim that he was feeling the effects of oxycodone on the day of his plea was contradicted by other evidence.

The postconviction court denied Robinson’s postconviction petition. Robinson appeals.

DECISION

I. Validity of Guilty Plea

Robinson first argues that the postconviction court erred by rejecting his claim that his guilty plea was not voluntary and not intelligent.

A defendant does not have an absolute right to withdraw a guilty plea. *State v. Raleigh*, 778 N.W.2d 90, 93 (Minn. 2010). But a postconviction court must grant a petitioner’s motion to withdraw a guilty plea if necessary to “correct a manifest injustice.” Minn. R. Crim. P. 15.05, subd. 1. “A manifest injustice exists if a guilty plea is not valid.” *Raleigh*, 778 N.W.2d at 94.

To be constitutionally valid, “a guilty plea must be accurate, voluntary, and intelligent.” *Taylor v. State*, 887 N.W.2d 821, 823 (Minn. 2016). The supreme court has explained each of the three requirements as follows:

The main purpose of the accuracy requirement is to protect a defendant from pleading guilty to a more serious offense than he could be convicted of were he to insist on his right to

trial The purpose of the voluntariness requirement is to insure that the defendant is not pleading guilty because of improper pressures. The purpose of the requirement that the plea be intelligent is to insure that the defendant understands the charges, understands the rights he is waiving by pleading guilty, and understands the consequences of his plea.

State v. Trott, 338 N.W.2d 248, 251 (Minn. 1983); *see also Perkins v. State*, 559 N.W.2d 678, 689-90 (Minn. 1997). If a guilty plea fails to meet any of these three requirements, it is invalid. *See State v. Ecker*, 524 N.W.2d 712, 716 (Minn. 1994).

Thus, if a person's guilty plea is not accurate, not voluntary, or not intelligent, the person must be allowed to withdraw the plea. *State v. Theis*, 742 N.W.2d 643, 650 (Minn. 2007). A postconviction petitioner bears the burden of showing that his guilty plea is invalid. Minn. Stat. § 590.04, subd. 3 (2024); *Raleigh*, 778 N.W.2d at 94. This court generally applies an abuse-of-discretion standard of review to the denial of a postconviction petition. *Roberts v. State*, 933 N.W.2d 418, 420 (Minn. App. 2019), *aff'd*, 945 N.W.2d 850 (Minn. 2020).

In this case, the postconviction court found that Robinson's guilty plea was both voluntary and intelligent. Robinson challenges the postconviction court's decision on both grounds.

A. Voluntariness

The postconviction court acknowledged Robinson's argument that his guilty plea was not voluntary on the ground that his attorney pressured him into pleading guilty to such an extent that his will was overborne. The postconviction court reasoned that Robinson's postconviction claim is contradicted by his own statements at the plea hearing

and his agreement to the plea petition. The postconviction court also reasoned that Robinson's postconviction claim is contradicted by the testimony of his former attorney, who denied pressuring Robinson. The postconviction court noted that Robinson had rejected a plea offer only three days before his plea, which demonstrated that he was able to say "no" despite his recent surgery and pain medication. The postconviction court stated that pressure is "inherent in any decision such as this, but Mr. Robinson has not shown there was undue pressure."

Robinson challenges the postconviction court's reasoning by noting the evidence that he received the plea offer on a Monday morning, only two hours before he pleaded guilty, and had no more than an hour to think about it before making his decision. He also notes that the proposed sentence was for "an extremely long time," which presented a difficult decision for a 20-year-old person. He contends that his guilty plea was involuntary because of his youth, inexperience with the criminal justice system, recent surgery, recent use of oxycodone, and the short time he had to consider the plea offer. He relies in part on his own testimony, but the postconviction court determined that his testimony on disputed issues was not credible, and we defer to that determination. *See Miles v. State*, 840 N.W.2d 195, 201 (Minn. 2013). The state argues in response that the postconviction court's factual findings are supported by the record.

We agree with the state that the postconviction court's factual findings are supported by the record. Robinson does not cite any caselaw with similar facts in which an appellate court concluded that the factual record compelled a finding that a plea was involuntary. To the contrary, the caselaw reveals that a guilty plea is not involuntary merely because the

defendant was faced with a difficult decision in a case with high stakes. *See, e.g., Brady v. United States*, 397 U.S. 742, 754-55 (1970) (concluding that guilty plea was not involuntary “because [it was] entered to avoid the possibility of a death penalty” because defendant had “full opportunity to assess the advantages and disadvantages of a trial as compared with those attending a plea of guilty”); *Raleigh*, 778 N.W.2d at 96 (concluding that extreme stress, irrational thinking, and fear of possible federal death penalty did not render plea involuntary); *Ecker*, 524 N.W.2d at 719 (concluding that “defendant’s motivation to avoid a more serious penalty or set of charges will not invalidate a guilty plea”). Thus, the postconviction court did not err by finding that Robinson’s guilty plea was voluntarily entered.

B. Intelligence

The postconviction court acknowledged Robinson’s argument that his guilty plea was not intelligent on the ground that he did not understand and appreciate the consequences of his decision in light of his youth, inexperience in the criminal justice system, his recent surgery, and his recent use of oxycodone. The postconviction court rejected this argument by stating that it simply was “not credible.” The postconviction court again relied on Robinson’s statements during the plea hearing. The postconviction court also relied on the testimony of Robinson’s former attorney, who testified that Robinson did not appear to be under the influence of oxycodone and told him that he no longer was taking the medication. The postconviction court also noted the prosecutor’s testimony that Robinson did not exhibit any signs of impairment at the plea hearing. In addition, the postconviction court relied on the testimony of the jail nurse, who testified

that Robinson's oxycodone dosage would be effective for only six hours and that Robinson received his last dose three days before his guilty plea.

Robinson challenges the postconviction court's reasoning by reiterating that he was charged with a crime for the first time in his life, was only 20 years old, had recently had surgery for the first time, and had been taking oxycodone. Again, Robinson does not cite any caselaw with similar facts in which an appellate court concluded that the factual record compelled a finding that a plea was unintelligent. Our review of the caselaw reveals that guilty pleas often are intelligently entered despite the presence of factors on which Robinson relies. *See, e.g., Perkins*, 559 N.W.2d at 690-91 (medical condition); *State v. Irestone*, 166 N.W.2d 345, 346-47 (Minn. 1969) (16-year-old defendant); *Williams v. State*, 760 N.W.2d 8, 15 (Minn. App. 2009) (pain medication), *rev. denied* (Minn. Apr. 21, 2009). Thus, the postconviction court did not err by finding that Robinson's guilty plea was intelligently entered.

II. Assistance of Counsel

Robinson also argues that the postconviction court erred by rejecting his claim that his attorney provided him with ineffective assistance of counsel.

"In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defence." U.S. Const. amend. VI; *see also* Minn. Const. art. I, § 6. To prevail on a claim of ineffective assistance of counsel, a defendant must satisfy two requirements: "that counsel's performance was deficient" and "that the deficient performance prejudiced the defense." *Strickland v. Washington*, 466 U.S. 668, 687 (1984); *see also State v. Cram*, 718 N.W.2d 898, 906-07 (Minn. 2006). The first *Strickland*

requirement is concerned with whether an attorney's performance fell below an objective standard of reasonableness. *Strickland*, 466 U.S. at 687-88; *State v. Vang*, 847 N.W.2d 248, 266-67 (Minn. 2014). The "objective standard is defined as 'representation by an attorney exercising the customary skills and diligence that a reasonably competent attorney would perform under similar circumstances.'" *Opsahl v. State*, 677 N.W.2d 414, 421 (Minn. 2004) (quoting *State v. Gassler*, 505 N.W.2d 62, 70 (Minn. 1993)). The second *Strickland* requirement requires "'a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different.'" *Gates v. State*, 398 N.W.2d 558, 561 (Minn. 1987) (quoting *Strickland*, 466 U.S. at 694). If either one of the *Strickland* requirements is not satisfied, a court need not consider the other requirement. *State v. Mosley*, 895 N.W.2d 585, 591 (Minn. 2017).

In this case, the postconviction court concluded that Robinson had failed to prove both requirements of his ineffective-assistance claim. Robinson challenges the postconviction court's decision on both grounds.

A. Attorney's Performance

The postconviction court acknowledged Robinson's argument that his attorney was ineffective on the ground that the attorney was aware of all the circumstances mentioned above but nonetheless allowed Robinson to plead guilty. The postconviction court relied on the attorney's credible testimony that Robinson told him that he no longer was taking medication and that Robinson did not appear confused. The postconviction court also relied on the attorney's testimony that, for weeks, Robinson had expressed interest in a plea agreement to avoid a life sentence. The postconviction court also noted the evidence that

Robinson's attorney arranged for a telephone call between Robinson and his family. Accordingly, the postconviction court concluded that the attorney's performance did not fall below an objective standard of reasonableness.

On appeal, Robinson argues that his former attorney's performance was deficient because he did not inquire further into Robinson's use of oxycodone and did not seek a continuance. In response, the state argues that Robinson did not preserve his argument about a continuance by making it to the postconviction court. Our review of the record reveals that Robinson did not argue to the postconviction court that his attorney should have sought a continuance; rather, he argued that his attorney should have advised him to "take a night to sleep on the offer" while the parties engaged in *voir dire*. The postconviction court resolved that argument by finding that Robinson's former attorney was not deficient in not "suggest[ing] his client 'sleep on' the offer." That finding is not clearly erroneous. There was no testimony at the evidentiary hearing about whether the attorney should have advised Robinson to wait until the following day before making a decision. It is not inappropriate for an attorney to inform a client that a decision on a plea offer is necessary before trial begins; we would not expect an attorney to advise a client differently. As for Robinson's claim that his former attorney did not inquire further into his use of oxycodone, Robinson says nothing to overcome the postconviction court's reasoning that the attorney credibly testified that Robinson told him that he no longer was taking medication and did not appear confused. Thus, the postconviction court did not err by finding that Robinson's former attorney's performance was not deficient.

B. Prejudice

The postconviction court stated in its order that Robinson “offered no evidence, not even his testimony at the evidentiary hearing, that, but for the concerns raised in the petition, he would have declined the plea offer and insisted on a trial.” On appeal, Robinson does not directly challenge that statement. He contends merely that he testified that he told his former attorney that he did not want to accept the offer but felt forced to do so. Such testimony is incapable of establishing “a reasonable probability that, but for counsel’s errors, [Robinson] would not have pleaded guilty and would have insisted on going to trial.” *See Campos v. State*, 816 N.W.2d 480, 486 (Minn. 2012) (quotation omitted). Thus, the postconviction court did not err by finding that Robinson’s former attorney’s performance, even if deficient, did not prejudice Robinson.

In sum, the postconviction court did not err by denying Robinson’s postconviction claims after an evidentiary hearing.

Affirmed.