STATE OF MINNESOTA
IN COURT OF APPEALS
A22-1570

State of Minnesota,
Respondent,

vs.

Brandon Stuart Moore,
Appellant.

Filed October 16, 2023
Affirmed
Bratvold, Judge

Chippewa County District Court
File No. 12-CR-22-58

Keith Ellison, Attorney General, Ed Stockmeyer, Assistant Attorney General, St. Paul, Minnesota; and

Matthew Haugen, Chippewa County Attorney, Montevideo, Minnesota (for respondent)

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

Considered and decided by Reyes, Presiding Judge; Smith, Tracy M., Judge; and Bratvold, Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

This is a direct appeal from judgments of conviction for aggravated first-degree controlled-substance crime (sale) and unlawful possession of a firearm. Appellant first argues that the evidence is insufficient to sustain his conviction for the aggravated

controlled-substance crime because the state failed to prove that he was within "immediate reach" of a firearm. Second, appellant argues that he should receive a new trial because the waiver of his right to counsel was invalid. Appellant also raises additional issues in a pro se supplemental brief. We affirm.

FACTS

The following summarizes the procedural history and the evidence received during the jury trial. On January 24, 2022, a law-enforcement officer, K.J., was near Granite Falls when he saw appellant Brandon Moore driving eastbound on highway 212. K.J. observed that Moore's 2004 sedan had expired license tabs, so he activated his squad car's emergency lights and siren and followed Moore, who continued driving for "approximate[ly] three miles." Moore's sedan "was all over the road, weaving within its lanes [and] crossing over the fog line." Moore eventually pulled over in front of an ethanol plant while K.J. remained in his car approximately "[f]ifty feet" away.

K.J. told Moore that he was under arrest, ordered him to put his hands up and out of the window, and directed him to turn off the sedan's motor. Moore put his hands up but refused to "shut the vehicle off and get out of the vehicle." A deputy's squad car and a third squad car pulled up to assist K.J. For "over ten minutes," Moore and the police officers engaged in back-and-forth yelling.

After repeated attempts to ask Moore to exit his sedan, law-enforcement officers "determined that [they] would go up, make contact with [Moore], and take him into custody." K.J. arrested Moore. During a search of Moore's person, officers found "approximately six grams of methamphetamines in his pocket as well as a half-a-gram in

his sweatshirt pocket." During a search of Moore's sedan, officers found a "large stack of money in the armrest," approximately $3400, which was "all in one bundle wrapped with multiple rubber bands."

Officers continued searching the sedan and discovered the front glovebox was locked. The ignition key was "sitting right on the front seat by the armrest," and the officer used it to unlock the glovebox. Inside the glovebox, the officer found a "black handgun" with "several rounds of ammunition" and a plastic grocery bag. The grocery bag held approximately 110.816 grams of methamphetamine.

Respondent State of Minnesota charged Moore with aggravated controlled-substance crime in the first degree (sale) under Minn. Stat. § 152.021, subds. 1(1), 2b(1) (2020) (count one), aggravated controlled-substance crime in the first degree (possession) under Minn. Stat. § 152.021, subds. 2(a)(1), 2b(1) (2020) (count two), and unlawful possession of a firearm under Minn. Stat. § 624.713, subd. 1(2) (2020) (count three).

The district court conducted at least six hearings in 2022 during which the court discussed Moore's right to counsel with him. At a bail hearing on January 26, the district court informed Moore of his charges and their penalties. Moore interjected, "I am not the defendant. This is the defendant's seat. I am not the defendant. I'm here by special appearance. I've been kidnapped against my will and I'm forced to be here and I'm under duress." The district court again attempted to read the charges and inform Moore of his

constitutional rights, but Moore stated, "You are in business with . . . Chippewa County, so you cannot tell me those are my rights." The district court then informed Moore:

> You have the right to remain silent. You do not have to say anything about what the State claims that you did. If you do say something about the facts of the case, what you say can be used against you in this or in any other case. *You have the right to be represented by an attorney. You can hire your own attorney or you can ask the Court to appoint an attorney if you cannot afford one.* You have the right to a twelve-person jury trial. At the trial you have the right to call and ask questions of witnesses, the right to subpoena witnesses. You have the right to testify yourself if you want to or remain silent, and if you decline to testify, no one can comment to the jury about your failure to testify.

(Emphasis added.)

At a hearing on February 7, the district court again informed Moore of the charges, their maximum penalties, and his constitutional rights. When the district court asked Moore whether he wanted a public defender to represent him, Moore stated, "I reserve all my rights without prejudice. I do not participate in any public functions." The district court responded that if "at any time you change your mind and wish to have an attorney, we would be very happy to look at your application and if you qualify, we will definitely appoint an attorney to help you out." The district court then scheduled Moore's omnibus hearing and reiterated that he would be "best served by having an attorney represent [him] at that hearing."

During the omnibus hearing on February 28, Moore was self-represented, and the following exchange took place:

> DISTRICT COURT: Sir, do you—do, would you like to have an attorney? I know we've talked about that before.
> MOORE: I don't do business with no counties. I don't do business with the government.
> . . . .
> DISTRICT COURT: Very well. And understand, like we talked before, *if you want to have an attorney help you and you cannot afford one, I will appoint one to represent you*.
> MOORE: *What do I need an attorney for? I'm not—I'm not participating in no public hearings.*

(Emphasis added.)

During a hearing on March 16, the district court informed Moore of his "right to be represented by an attorney during the case" and stated that it would "appoint an attorney if [Moore] cannot afford one." In response, Moore stated that he was "not the named defendant." The district court explained that Moore should notify the jail if he changed his mind about an attorney and wanted assistance filling out the proper forms.[1]

[1] Relevant to the issues raised in Moore's supplemental appellate brief, Moore filed two documents that the district court treated as motions. On February 4, 2022, Moore filed an "affidavit of truth" stating that he is a "freeborn Sovereign" and has never "voluntary elected to be treated as a United States citizen subject to its jurisdiction" or the "jurisdiction of any of the several states." On February 14, 2022, Moore filed an "addendum" to his "affidavit of truth." On March 21, 2022, Moore filed a letter with the district court and asserted that "without probable cause Officer [K.J.] did an unlawful arrest" and an "unlawful search and seizure of [Moore's] body" and sedan.

In a March 28, 2022 order, the district court treated Moore's "affidavit of truth" and addendum as a "motion to challenge jurisdiction." The district court denied the motion after determining that Moore's "sovereign citizen jurisdictional defense has no conceivable validity in American law." The district court also considered the March 12 letter to be a motion to dismiss, then determined that law enforcement had probable cause to arrest Moore.

At a hearing on May 9, the district court again asked Moore "if [he] want[ed] to have an attorney help." Moore responded that he "object[ed] to all of this" and "had nothing to do with" the "named defendant." The district court informed Moore that it was "going to appoint an attorney as advisory counsel," and the court's order appointing advisory counsel followed a few days later.

At a hearing on May 19, the district court discussed the role of advisory counsel:

> The defendant represents himself. He has not requested appointment of an attorney, has not hired an attorney. Because of concerns about fairness in the proceeding, I have appointed Andrew Hodny as advisory counsel. Sir, this means that you can ask Mr. Hodny questions, he'll be present during all of the proceedings, and under the rules, he will take over if you want him to take over as your attorney.

Moore stated, "I don't need no advisory counsel," and, "I'm not here to represent myself . . . [because t]hat name [Brandon Moore] is an artificial entity . . . ." The district court responded:

> Sir, if you—if you would like to have an attorney represent you, Mr. Hodny is appointed as advisory counsel. That's different from having an attorney represent you and again, *I remind you that you have that right, either to hire an attorney or request that the Court appoint one, and if you fill out the application, I'll look at it and if you qualify, a public defender will be appointed to represent you*.

(Emphasis added.)

On the first day of Moore's scheduled jury trial, the district court asked Moore whether he wanted to be present. Moore refused to attend. The district court then asked if Moore wanted advisory counsel to "make any presentation to the jury" on his behalf. Moore refused to answer. The district court informed Moore that it would take breaks

throughout the trial and "check with persons at the jail to see if [Moore] changed [his] mind" and wanted to participate. The state proceeded with its evidence, and Moore did not attend the trial.

The jury found Moore guilty of all three charges. The district court entered judgments of conviction on counts one and three, determined count two was the same behavioral incident as count one, and sentenced Moore to 98 months in prison for count one.

Moore appeals.

DECISION

I. The evidence is sufficient to sustain Moore's conviction for aggravated first-degree controlled-substance crime.

Due process requires the state to prove every element of the charged crime beyond a reasonable doubt. *State v. Culver*, 941 N.W.2d 134, 142 (Minn. 2020). The statute under which Moore was convicted provides:

> A person is guilty of aggravated controlled substance crime in the first degree if the person violates subdivision 1, clause (1), (2), (3), (4), or (5), or subdivision 2, paragraph (a), clause (1), (2), or (3), and the person or an accomplice sells or possesses 100 or more grams or 500 or more dosage units of a mixture containing the controlled substance at issue and:
>
> (1) the person or an accomplice possesses on their person or within *immediate reach*, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm[.]

Minn. Stat. § 152.021, subd. 2b(1) (emphasis added). To sustain Moore's conviction for aggravated first-degree controlled-substance crime, the state was required to prove that

Moore possessed (1) at least 100 grams of methamphetamine and (2) a firearm on his person or within "immediate reach." *See id*.

In his brief to this court, Moore challenges the sufficiency of the evidence for the second element. Moore argues that his conviction for aggravated first-degree controlled-substance crime must be reversed because the "State failed to prove beyond a reasonable doubt that the firearm in the locked glove box was within his immediate reach." Moore's challenge requires us to interpret the meaning of "immediate reach," which raises a question of statutory interpretation that we review de novo. *State v. Vasko*, 889 N.W.2d 551, 556 (Minn. 2017).

The primary focus of statutory interpretation is "to effectuate the intent of the legislature." *State v. Riggs*, 865 N.W.2d 679, 682 (Minn. 2015); *see also* Minn. Stat. § 645.16 (2022). If the legislature's intent is clear from the text of the statute, then we apply that plain meaning. *State v. Khalil*, 956 N.W.2d 627, 634 (Minn. 2021); *see also* Minn. Stat. § 645.16. When, as here, "a statute does not define terms, we may look to the dictionary definitions of those words and apply them in the context of the statute to determine whether the phrase has a plain and unambiguous meaning." *Fordyce v. State*, 994 N.W.2d 893, 897 (Minn. 2023) (quotation omitted). To determine the plain meaning, "we first construe words and phrases in the statute 'according to rules of grammar and according to their common and approved usage.'" *State v. McReynolds*, 973 N.W.2d 314, 318 (Minn. 2022) (quoting Minn. Stat. § 645.08(1) (2020)).

If after we consider the text of the statute, we determine that it is "subject to more than one reasonable interpretation," then the statute is ambiguous. *State v. Thonesavanh*,

904 N.W.2d 432, 435 (Minn. 2017) (quotation omitted). An appellate court may apply canons of construction to resolve an ambiguity. *State v. Pakhnyuk*, 926 N.W.2d 914, 924 (Minn. 2019). In short, the first step in statutory interpretation determines whether the statute's language, on its face, is ambiguous. *Thonesavanh*, 904 N.W.2d at 435.

Moore argues that the phrase "immediate reach" is unambiguous and carries a temporal limitation such that a firearm is within immediate reach only if it can be accessed instantly or without delay. Moore contends that because the firearm was in the locked glovebox, "he could not gain *immediate* access to it" because it would have taken additional time to access the firearm by shutting off the car and using the ignition key to unlock the glovebox. The state, on the other hand, argues that "immediate reach" unambiguously means that the state must prove that Moore was within close proximity of the firearm—that is, he "could reach it without first relocating to a different position."

The legislature did not define "immediate reach." Minn. Stat. §§ 152.01, .021 (2020). As a result, we turn to dictionary definitions. *See Fordyce*, 994 N.W.2d at 897. "Immediate" is defined as "[o]ccurring at once; happening without delay" and "[c]lose at hand; near: *in the immediate vicinity*." *The American Heritage Dictionary of the English Language* 878 (5th ed. 2018). The word "reach" is defined, first, as "[t]o stretch out or put forth (a body part); extend: *reached out an arm*," and, second, as "[t]o touch or grasp by stretching out or extending." *Id.* at 1463. The definitions of reach necessarily include physical accessibility; that is, for something to be within reach, or reachable, the person must be capable of "touch[ing]" or "grasp[ing]" it by "stretching out or extending." *Id.*

In short, the common understanding of "immediate reach" includes two meanings. In the relevant statute, "immediate" is an adjective modifying the noun "reach." "Immediate reach," therefore, first has a temporal meaning that is synonymous with touching something "without delay," as Moore argues. Second, "immediate reach" also has a spatial meaning that is synonymous with touching something "close at hand," as the state argues. We therefore conclude that the phrase "immediate reach" within the statute establishing the aggravated first-degree controlled-substance crime is ambiguous because it is susceptible to more than one reasonable interpretation, as shown by the parties' reasonable interpretations of this phrase based on common dictionary definitions including both temporal and spatial access.

Having concluded that the statute is ambiguous, we may ascertain legislative intent by examining

> (1) the occasion and necessity for the law;
> (2) the circumstances under which it was enacted;
> (3) the mischief to be remedied;
> (4) the object to be attained;
> (5) the former law, if any, including other laws upon the same or similar subjects;
> (6) the consequences of a particular interpretation;
> (7) the contemporaneous legislative history; and
> (8) legislative and administrative interpretations of the statute.

Minn. Stat. § 645.16; *Pakhnyuk*, 926 N.W.2d at 924 (applying factors in section 645.16 to ambiguous statutory language).

The legislative history illuminates the legislature's intent for providing that having a firearm within "immediate reach" is an aggravating factor. The statute establishing the

aggravated first-degree controlled-substance crime was enacted in 2016 as part of the Drug Sentencing Reform Act (DSRA), which sought to impose harsher penalties for drug dealers and to reduce sentences for chemically dependent and low-level offenders. Hearing on S.F. 3841 Before the Judiciary Budget Div. (May 9, 2016) (statement of Sen. Latz).

Related caselaw on searches incident to arrest also guides our analysis of what is within a defendant's reach. In *Chimel v. California*, the Supreme Court reasoned that police officers may search the arrestee and the "area into which an arrestee might reach" to prevent possible destruction of evidence or use of a weapon to "effect his escape." 395 U.S. 752, 763 (1969). In *State v. Fisher*, we explained that incident to a lawful arrest, police may search "the arrestee's person and the area 'within his immediate control'—construing that phrase to mean the area from within which he might gain possession of a weapon or destructible evidence." 588 N.W.2d 515, 517 (Minn. App. 1999) (quoting *Chimel*, 395 U.S. at 763), *rev. denied* (Minn. Apr. 20, 1999). This caselaw suggests that we should consider "immediate reach" in terms of what is within a defendant's control.

We construe "immediate reach" within the statute establishing the aggravated first-degree controlled-substance crime by giving effect to the legislature's intent to impose harsher penalties for more serious drug offenders and by considering related caselaw indicating that a defendant's reach includes what is within their control. We conclude that "immediate reach" requires the state to prove that a firearm is accessible by touching because the defendant's access is "without delay" and "close at hand."

Having determined the proper meaning of "immediate reach" for purposes of the statute establishing the aggravated first-degree controlled-substance crime, we now

consider appellant's sufficiency-of-the-evidence challenge. When an element of an offense is supported by direct evidence, our review is limited "to a painstaking analysis of the record to determine whether the evidence, when viewed in the light most favorable to the conviction, is sufficient to permit the jurors to reach the verdict which they did." *State v. Horst*, 880 N.W.2d 24, 40 (Minn. 2016). Moore's conviction is supported by direct evidence because the state proved the location of the firearm in the sedan by testimony of "a witness's personal observations [that] allows the jury to find the defendant guilty without having to draw any inferences." *Id.*[2]

The record evidence includes testimony from a police officer that Moore, at the time of his arrest, had access to a firearm in a locked glovebox and the key to the glovebox was in the sedan. The officer also testified that Moore drove a relatively small vehicle, that the glovebox was close to the driver's seat, and that Moore would have been able to reach the firearm while sitting in the driver's seat.

We conclude that the record includes sufficient direct evidence that the firearm was within Moore's immediate reach because he had physical access to the firearm and the key to the glovebox was in the sedan. Because Moore was in the driver's seat and the key to the glovebox was in the sedan, the firearm was "close at hand" and he was able to access it by touch "without delay." We are not persuaded by Moore's argument that the fact that the glovebox was locked necessarily meant the state failed to prove the firearm was within

[2] Because we conclude that direct evidence in the record sustains Moore's conviction, we need not consider the state's argument that circumstantial evidence also sustains Moore's conviction because it proves he constructively possessed the firearm.

his "immediate reach." Because the glovebox key was in the sedan, Moore's access to the firearm was both "without delay" and "close at hand." Thus, the record evidence sustains Moore's conviction for aggravated first-degree controlled-substance crime.

II. Moore validly waived his right to counsel by conduct.

The United States and Minnesota Constitutions guarantee a criminal defendant the right to counsel. U.S. Const. amends. VI, XIV; Minn. Const. art. I, §§ 6, 7. Defendants equally have the constitutional right to self-representation. *Faretta v. California*, 422 U.S. 806, 832 (1975). To satisfy constitutional requirements, a criminal defendant's waiver of counsel must be knowing, intelligent, and voluntary. *State v. Rhoads*, 813 N.W.2d 880, 884-85 (Minn. 2012).

"Whether a waiver of a constitutional right is valid depends upon the particular facts and circumstances surrounding that case, including the background, experience, and conduct of the accused." *State v. Worthy*, 583 N.W.2d 270, 275-76 (Minn. 1998) (quotation omitted); *see Rhoads*, 813 N.W.2d at 886 (stating that the lack of an "on-the-record inquiry regarding waiver . . . does not require reversal when the particular facts and circumstances of the case demonstrate a valid waiver"). "A defendant who seeks to waive the right to counsel should be made aware of the dangers and disadvantages of self-representation, so that the record will establish that he knows what he is doing and his choice is made with eyes open." *Worthy*, 583 N.W.2d at 276 (quotation omitted).

It is the district court's duty to ensure the constitutional requirements are met. *State v. Hawanchak*, 669 N.W.2d 912, 914 (Minn. App. 2003). In felony cases, Minnesota law requires a written waiver of counsel signed by the defendant unless the defendant refuses

to sign. Minn. Stat. § 611.19 (2022); Minn. R. Crim. P. 5.04, subd. 1(4). It is "strongly encourage[d]" for district courts to discharge their duty to the defendant by securing a written waiver. *State v. Gant*, __ N.W.2d __, __, 2023 WL 5340023, at *7 (Minn. App. Aug. 21, 2023). When there is no written waiver form, district courts must advise defendants of the following before accepting a waiver:

> (a) nature of the charges;
> (b) all offenses included within the charges;
> (c) range of allowable punishments;
> (d) there may be defenses;
> (e) mitigating circumstances may exist; and
> (f) all other facts essential to a broad understanding of the consequences of the waiver of the right to counsel, including the advantages and disadvantages of the decision to waive counsel.

Minn. R. Crim. P. 5.04, subd. 1(4); *accord State v. Jones*, 772 N.W.2d, 496, 504 (Minn. 2009).

Appellate courts will overturn a "finding of a valid waiver of a defendant's right to counsel if that finding is clearly erroneous." *Jones*, 772 N.W.2d at 504 (quotation omitted). Clear error occurs when "there is no reasonable evidence to support the finding or when an appellate court is left with the definite and firm conviction that a mistake occurred." *Rhoads*, 813 N.W.2d at 885. When facts are not in dispute, appellate courts review de novo whether a defendant constitutionally waived his right to counsel. *Id.*

Moore argues that the district court did not fulfill its duty to ensure a voluntary, knowing, and intelligent waiver because it did not obtain a written waiver-of-counsel form or advise appellant of all facts and consequences before accepting his waiver of counsel. The state concedes that the district court did not obtain an express or written waiver of

counsel. The state also points out, however, that the Minnesota Supreme Court has recognized that a defendant may also waive their right to counsel by conduct or by forfeiture. *Jones*, 772 N.W.2d at 504.

Appellate courts consider the state's argument that Moore waived counsel by conduct or forfeiture. A defendant waives his right to counsel by conduct when he "engages in dilatory tactics after he has been warned that he will lose his right to counsel" without ever affirming his decision to proceed pro se. *Id.* at 505. As with other affirmative waivers, the district court must conduct a formal colloquy with the defendant before finding a valid waiver by conduct. *Id.* In contrast, a defendant waives his right to counsel by forfeiture when he "engages in extremely dilatory conduct." *Id.* (quotation omitted). This differs from waiver by conduct because "[f]orfieture does not require the court to conduct a waiver colloquy with the defendant." *Id.* "Forfeiture is usually reserved for severe misconduct, when other efforts to remedy the situation have failed." *Id.*

Caselaw illustrates waiver by conduct and waiver by forfeiture. In *State v. Langston*, we concluded that a self-represented defendant waived the right to counsel. No. A17-1136, 2018 WL 1701898, at *9 (Minn. App. Apr. 9, 2018).[3] Langston appeared self-represented over the course of several months and repeated sovereign-citizen arguments that questioned the district court's legitimacy. *Id.* at *2-4, 8. The district court repeatedly advised Langston of his right to counsel and asked if he wanted a lawyer, but Langston replied, "No, I would not," and, "Why would I need a lawyer?" *Id.* at *8. Relying on *Worthy* and *Rhoads*, we

[3] Although *Langston* is nonprecedential, we find it persuasive.

affirmed that Langston knowingly, intelligently, and voluntarily waived his right to counsel based on the "overall context and language of the court's discussions and advisories, *Langston's behavior*, and Langston's familiarity with the legal system." *Id.* (emphasis added) (citing *Rhoads*, 813 N.W.2d at 884-85).

In *Jones*, the Minnesota Supreme Court determined that Jones forfeited his right to counsel when almost a full year passed between his first bail appearance and trial and he "repeatedly told the district court that he planned on retaining private counsel" yet consistently appeared without counsel. 772 N.W.2d at 506. The district court "granted [Jones] three continuances solely for the purpose of giving him" time to secure private counsel and "set his trial date four months after his omnibus hearing so that he could hire counsel." *Id.* Despite Jones's objection to proceeding without legal representation, the supreme court held that Jones's dilatory conduct forfeited his right to counsel. *Id.*

Though we are not persuaded that Moore's behavior was so extreme as to amount to a waiver of counsel by forfeiture as in *Jones*, we conclude that he waived the right to counsel by his conduct as in *Langston*. Moore repeatedly questioned the district court's authority and rejected the district court's multiple suggestions to apply for a public defender or seek private counsel. The district court repeatedly advised Moore of his right to counsel, the range of possible punishments, and the nature of the state's charges against him. At each of six hearings, the district court urged Moore to obtain counsel, either through the public defender's office or privately. The district court later appointed advisory counsel on Moore's behalf before trial. Moore refused legal counsel at every stage of the proceedings. Based on this record, we conclude that Moore waived his right to counsel by

his conduct in repeatedly refusing to respond to the district court's efforts to advise Moore of his right to counsel, to give Moore an opportunity to retain counsel, and to ask Moore if he wanted to apply for court-appointed counsel. We are persuaded that when Moore rebuffed the district court's repeated efforts to protect Moore's constitutional right to counsel, Moore waived his right to counsel by his conduct.

III. The arguments in Moore's supplemental brief do not warrant relief.

In a supplemental brief, Moore raises two additional issues: first, that law enforcement obtained evidence from an unlawful search and seizure and, second, that the district court and state lacked jurisdiction.

In support of his position on the first issue that the firearm should have been suppressed, Moore argues that "[a] police officer may not perform a limited protective weapons search of a person stopped for a routine traffic offense based solely on a possible risk of flight absent any evidence that the person is armed and dangerous, poses a threat to the officer's safety, or is involved in a more serious crime." Moore's person was searched incident to his arrest, however, and not during a traffic stop. During a search incident to a person's arrest, police may search the "person's body and the area within his or her immediate control." *State v. Robb*, 605 N.W. 2d 96, 100 (Minn. 2000) (citing *Chimel*, 395 U.S. at 763).

In support of his position on the second issue that the complaint should have been dismissed, Moore argues that the district court lacked subject-matter jurisdiction to hear the case under the Eleventh Amendment and the case-and-controversy requirement under Article III of the United States Constitution. He correctly states that to establish Article III

standing, a plaintiff must demonstrate an injury-in-fact that is fairly traceable to the defendant's conduct and that a favorable court decision will redress the injury. However, the Minnesota Constitution provides that "[t]he district court has original jurisdiction in all civil and criminal cases and shall have appellate jurisdiction as prescribed by law." Minn. Const. art. VI, § 3. And, as the district court noted in response to Moore's jurisdiction argument, "[a] person may be convicted and sentenced under the law of this state if the person commits an offense in whole or in part within this state." Minn. Stat. § 609.025(1) (2020).

We conclude that the arguments in Moore's supplemental brief do not demonstrate a basis for relief.

Affirmed.