

*This opinion will be unpublished and
may not be cited except as provided by
Minn. Stat. § 480A.08, subd. 3 (2010).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A10-1180**

Michael James Brouillette,
Respondent,

vs.

Jennifer Spreeman,
Appellant.

**Filed March 22, 2011
Affirmed
Connolly, Judge**

Dakota County District Court
File No. 19AV-CV-09-3813

Michael J. Brouillette, St. Paul, Minnesota (pro se respondent)

Jennifer L. Spreeman, Burnsville, Minnesota (pro se appellant)

Considered and decided by Lansing, Presiding Judge; Ross, Judge; and Connolly,
Judge.

UNPUBLISHED OPINION

CONNOLLY, Judge

Appellant challenges a judgment requiring her to pay the cost of repairs to respondent's car and to transfer the title to him, finding her in constructive civil contempt for damaging the car in violation of the district court's orders, and providing that, if

appellant does not make the payment, the stay on a \$5,500 judgment in respondent's favor against her would be lifted. Because reasonable evidence supports the district court's findings, we affirm.

FACTS

In 2002, respondent Michael Brouillette and appellant Jennifer Spreeman, f/k/a Jennifer Lund, were planning to marry. Respondent bought a 2001 car for appellant, which he claimed was for her to use when the parties were married and was a gift conditioned on their marriage; appellant claimed the car was an unconditional gift from respondent. By 2004, the relationship deteriorated. The parties did not marry, but appellant kept the car.

Respondent brought an action in conciliation court to recover either \$7,500 or the car; the conciliation court entered judgment for appellant. Respondent appealed to the district court; appellant successfully moved the district court for summary judgment. Respondent appealed the summary judgment to this court. In *Brouillette v. Lund*, No. A07-1880, 2008 WL 5057414 (Minn. App. Dec. 2, 2008), we reversed the summary judgment on the ground that it was precluded by genuine issues of material fact.

In July 2009, respondent again sued appellant in conciliation court over her possession of the car. After the conciliation court dismissed his claim, he successfully sought a jury trial in district court. The jury found that the car was a gift, conditioned on the parties' marriage, from respondent to appellant and that it was worth \$5,500 when appellant appropriated it. At the end of trial, respondent asked the district court to instruct appellant not to damage the car. When the district court did so, appellant replied

that she was “not a malicious person.” In March 2010, respondent was granted a judgment of \$5,500 against appellant, execution stayed; the judgment also ordered appellant to return the car to respondent immediately.

Appellant did not return the car. The sheriff repossessed it and turned it over to respondent, who found it had been damaged and was missing various parts and items. He moved to hold appellant in contempt for damaging the car and for a money judgment for repairs to the car. Following a hearing, the district court in an amended judgment found that appellant was in constructive civil contempt for damaging the car in violation of the district court’s orders, required her to pay respondent \$3,411.32 for repairs and to transfer title to the car, and provided that, if she did not make the payment, the stay on the \$5,500 judgment against her would be lifted. She challenges the judgment.¹

D E C I S I O N

“If there is reasonable evidence to support the [district] court’s findings of fact, a reviewing court should not disturb those findings.” *Fletcher v. St. Paul Pioneer Press*, 589 N.W.2d 96, 101 (Minn. 1999).

The district court found that respondent

presented evidence that [appellant] had tampered with, damaged, and altered the condition of the [car] after the March 23, 2010 jury verdict and before the [car] was

¹ Both parties appear to consider this an appeal from the earlier judgment that the car was a gift conditioned on the parties’ marriage, but the appeal period for that judgment, entered in March 2010, expired well before this appeal was filed in July 2010. *See* Minn. R. Civ. App. P. 103.01 (prescribing that notice of appeal must specify judgment or order from which appeal is taken); Minn. R. Civ. App. P. 104.01 (prescribing 60 days from entry of judgment as time for appeal).

repossessed on March 31, 2010 and turned over to [respondent. Respondent] also presented evidence that [appellant] failed to turn over all of the [car's] keys. [Appellant] did turn over the [car's] remote starter, but it had been destroyed and rendered inoperable.

There is no transcript of the hearing at which this evidence was presented. The record includes copies of bills for repairs to the car and for various items, including keys and a remote starter. Appellant offers nothing to refute the district court's findings other than her own assertion that she did not damage the car. There is no argument and no evidence to support reversing the district court.

Affirmed.