

STATE OF MINNESOTA
IN COURT OF APPEALS
A23-0924



State of Minnesota,

Respondent,

vs.

Jonathan Gerald Motyl,

Appellant.

ORDER OPINION

Anoka County District Court
File No. 02-CR-22-7566

Considered and decided by Gaïtas, Presiding Judge; Worke, Judge; and Frisch, Judge.

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. Appellant Jonathan Motyl entered an *Alford* plea¹ to felony domestic assault and was sentenced to 27 months in prison. On direct appeal from the conviction, Motyl argues that he is entitled to withdraw his guilty plea because the prosecutor failed to establish during the guilty plea hearing that the complainant was a “family or household member,” which is an element of felony domestic assault. Respondent State of Minnesota filed a letter response to Motyl’s brief, stating that it would not be filing a brief. Because we agree with Motyl that the prosecutor failed to establish a sufficient factual basis for the guilty plea, we reverse Motyl’s conviction and remand.

¹ In *North Carolina v. Alford*, the United States Supreme Court held that a defendant may plead guilty while maintaining innocence. 400 U.S. 25, 38 (1970). Such a plea—known as an “*Alford* plea”—is also permitted under Minnesota law. See *State v. Goulette*, 258 N.W.2d 758, 760 (Minn. 1977).

2. In December 2022, the state charged Motyl with one count of felony domestic assault under Minnesota Statutes section 609.2242, subdivision 4 (2022). Pursuant to a plea agreement with the state, Motyl waived his trial rights and entered an *Alford* plea to the charge. The district court accepted the plea, entered a conviction, and sentenced Motyl to prison.

3. Motyl timely appealed his conviction to this court. The sole issue on appeal is whether Motyl's guilty plea is constitutionally invalid because the state failed to establish an element of felony domestic assault during the plea hearing.

4. A defendant may attack the validity of a guilty plea on direct appeal. *Brown v. State*, 449 N.W.2d 180, 182 (Minn. 1989). However, a defendant has no absolute right to withdraw a guilty plea. *State v. Theis*, 742 N.W.2d 643, 646 (Minn. 2007). Once a defendant has been sentenced, plea withdrawal is only allowed if necessary to correct "a manifest injustice." *State v. Raleigh*, 778 N.W.2d 90, 93 (Minn. 2010) (quoting Minn. R. Crim. P. 15.05, subd. 1). A manifest injustice exists if a guilty plea is invalid. *Theis*, 742 N.W.2d at 646. To be constitutionally valid, a guilty plea must be "accurate, voluntary, and intelligent." *Raleigh*, 778 N.W.2d at 94 (citations omitted).

5. Motyl's challenge to his guilty plea concerns the accuracy requirement. To be accurate, there must be a "proper factual basis" for a guilty plea. *State v. Ecker*, 524 N.W.2d 712, 716 (Minn. 1994). A proper factual basis is established when there is a showing that the defendant's conduct satisfied all the elements of the offense. *State v. Jones*, 921 N.W.2d 774, 779 (Minn. App. 2018), *rev. denied* (Minn. Feb. 27, 2019). The accuracy requirement ensures that a defendant does not plead guilty to a more serious

offense than the defendant could be convicted of at trial. *State v. Trott*, 338 N.W.2d 248, 251 (Minn. 1983).

6. In entering an *Alford* plea, a defendant maintains innocence while also pleading guilty. *Theis*, 742 N.W.2d at 648-49. Given this inherent conflict, such a plea requires “careful scrutiny” of the factual basis. *Id.* An *Alford* plea is accurate when (1) the state establishes a “strong factual basis” for the offense and (2) the defendant agrees that the evidence is sufficient to support conviction beyond a reasonable doubt. *Williams v. State*, 760 N.W.2d 8, 12-13 (Minn. App. 2009), *rev. denied* (Minn. Apr. 21, 2009). A district court may accept an *Alford* plea when, after carefully scrutinizing the factual basis provided, it independently concludes that the evidence would support a jury verdict of guilty beyond a reasonable doubt. *Goulette*, 258 N.W.2d at 760.

7. An appellate court reviews the validity of a plea de novo. *Raleigh*, 778 N.W.2d at 94. In considering whether a guilty plea was accurate, this court’s review is limited to statements made during the guilty-plea colloquy unless the defendant expressly admitted to the truthfulness and accuracy of extrinsic information, such as the criminal complaint. *Rosendahl v. State*, 955 N.W.2d 294, 301 (Minn. App. 2021). Because Motyl did not attest to the truth of any extrinsic evidence, our review of the accuracy of his *Alford* plea is limited to the facts established during the plea colloquy.

8. An element of felony domestic assault is that the offense is committed against a “family or household member.” Minn. Stat. § 609.2242, subs. 1(2), 4 (2022); *see also State v. Defatte*, 928 N.W.2d 338, 341 (Minn. 2019) (identifying elements of domestic assault).

9. During Motyl’s guilty-plea hearing, the factual basis provided by the prosecutor did not show that the complainant was a “family or household member.” The prosecutor did not expressly state that the complainant was a “family or household member.” Nor did the prosecutor reference any evidence from which such a relationship between Motyl and the complainant could be inferred. *See Rosendahl*, 955 N.W.2d at 299 (stating that, during a plea colloquy, a district court may “draw inferences *from the facts admitted to by the defendant*”) (citing *Nelson v. State*, 880 N.W.2d 852, 861 (Minn. 2016)).

10. Because the factual basis for Motyl’s guilty plea did not establish that he assaulted a “family or household member”—an element of the offense of felony domestic assault—his plea was inaccurate and thus constitutionally defective.

11. Motyl’s conviction, which is based on an invalid guilty plea, must be reversed and remanded. On remand, the district court must allow Motyl the opportunity to re-enter the guilty plea, or the parties may engage in further proceedings.

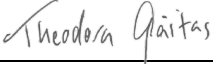
IT IS HEREBY ORDERED:

1. The district court’s judgment of conviction is reversed, and the case is remanded to the district court for further proceedings.

2. Pursuant to Minn. R. Civ. App. P. 136.01, subd. 1(c), this order opinion is nonprecedential, except as law of the case, res judicata, or collateral estoppel.

Dated: 5/1/2024

BY THE COURT



Judge Theodora Gaïtas