

*This opinion is nonprecedential except as provided by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
A25-1294**

State of Minnesota,
Respondent,

vs.

Abdirahman Mohamed Abdi,
Appellant.

**Filed July 20, 2026
Reversed and remanded
Harris, Judge**

Clay County District Court
File No. 14-CR-24-3941

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

Brian J. Melton, Clay County Attorney, Jackson Elmquist, Assistant County Attorney,
Moorhead, Minnesota (for respondent)

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

Considered and decided by Harris, Presiding Judge; Bentley, Judge; and
Rasmusson, Judge.

NONPRECEDENTIAL OPINION

HARRIS, Judge

Appellant Abdirahman Mohamed Abdi challenges the sufficiency of the evidence for his conviction of first-degree burglary while possessing a dangerous weapon. He argues that the evidence was insufficient to prove that (1) his pocketknife was designed as

a dangerous weapon, and (2) he used or intended to use the pocketknife in a manner calculated or likely to cause death or great bodily harm. Because the direct and circumstantial evidence was insufficient to sustain his conviction, we reverse and remand.

FACTS

Respondent State of Minnesota charged appellant Abdirahman Mohamed Abdi with one count of first-degree burglary (possession of a dangerous weapon), in violation of Minnesota Statutes section 609.582 subdivision 1(b); one count of first-degree burglary (assault of a person within the building), in violation of Minnesota Statutes section 609.582, subdivision 1(c); one count of second-degree assault with a dangerous weapon, in violation of Minnesota Statutes section 609.222, subdivision 1; and one count of fifth-degree drug possession, in violation of Minnesota Statutes section 152.025, subdivision 2(1) (2024). The matter proceeded to a jury trial,¹ during which the state called J.C., a Moorhead Post Office employee; Moorhead police officers, A.K. and H.S.; and Clay County Deputy Sheriff, B.H. The following factual summary stems from the trial record and is presented in the light most favorable to the verdict and conviction.

J.C. began working as a window clerk at the Moorhead Post Office in March 2024. The post office generally opens at 9:00 a.m., but the lobby is open 24 hours a day, seven days a week to allow customers to retrieve their mail at any time. Although it is always open, people are not allowed to sleep in the lobby, and J.C. was instructed to remove anyone who attempted to do so.

¹ Prior to trial, Abdi pleaded guilty to the fifth-degree drug possession charge, so the matter proceeded to trial on the first three counts.

In November 2024, J.C. was working the overnight shift with two coworkers when he heard “screaming” or “shouting” in the mailbox area. At the time, J.C. was working in the back of the post office, an area that was secure from the lobby by a locked glass door. To J.C., “it sounded like somebody was kicking . . . one of the mailboxes, [be]cause it was a lot louder than just [the] open and close of a mailbox.” When J.C. went to the lobby to investigate, he observed Abdi “pacing around” the lobby in camouflage pants, a black coat, and a red plaid scarf. Abdi removed his coat and scarf and “looked like he was about to get comfortable.” J.C. told him that he needed to leave, and Abdi replied but J.C. could not understand him because it “sounded slurred.” J.C. repeated himself and told Abdi to leave, and Abdi raised his voice to match that of J.C.’s, still “mumbling to himself.”

J.C. stuck around the lobby area to see if Abdi would leave, but he did not. J.C. observed Abdi slowly crouch to the ground and sit behind a trash can next to a desk in the corner of the lobby; he then “heard a big click, and then[] saw something silver,” which he believed to be a pocketknife. J.C. retreated to the secure area and called 911. While on the phone, J.C. saw Abdi “sitting there playing with [the pocketknife] on his right-hand side” and either talking to himself or J.C. J.C. testified that Abdi was not making eye contact with him but J.C. observed Abdi holding the pocketknife with the “blade point on the ground” as if “he was drawing figure eights or something.” J.C. also testified that Abdi never raised or threatened him with the pocketknife, but stated that Abdi “was just showing me, hey, don’t come near me . . . otherwise, I will.” J.C. was not sure if Abdi would lunge at him or pose any sort of danger, so he had his hand on the door in case he needed to retreat and close the door quickly.

Behind the secure door and still on the phone with 911, J.C. could see Abdi in the lobby. J.C. testified, “I think [Abdi] noticed that I was on the phone, and he started putting on his coat and his scarf, and then he started pacing back and forth, and then he went out into the . . . vestibule.” Abdi eventually left the post office, crossed the street, and “walked behind some businesses,” still in possession of the pocketknife.

Police officers responded to the 911 call and saw Abdi “across the street from the post office.” Officers apprehended Abdi and recovered the pocketknife in the “open position” from his right jacket pocket.

At trial, the state offered the pocketknife and photos of the pocketknife into evidence. One of the testifying officers removed the pocketknife from its packaging, held it up for the jury, and opened and closed it by the microphone. The officer testified that the length of the blade was “[a]pproximately three or so inches.”

The district court instructed the jury on the elements of each charge. As it relates to possession of a dangerous weapon, the district court stated, “Dangerous weapon means any device designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.”

During the state’s closing argument, the prosecutor addressed the dangerous-weapon element, stating, “It’s a two-to-three-inch blade. Clearly, it’s something that is capable of causing great bodily harm Clearly, that knife was something that, if used against any individual, could cause . . . a high probability of death or a serious permanent disfigurement.” Then, in rebuttal, the prosecutor stated that “the knife that was held by

[Abdi] . . . in a manner that indicated to [J.C.] that [Abdi] wanted him to know that he had a knife.” Further describing the pocketknife, the prosecutor stated, “You flip a switch, it clicks open, and it’s two to three inches. That is a dangerous weapon.”²

The jury found Abdi guilty of first-degree burglary while possessing a dangerous weapon. It found him not guilty of first-degree burglary while committing an assault, and not guilty of second-degree assault with a dangerous weapon.

Abdi filed a motion for judgment of acquittal, arguing that the state failed to present sufficient evidence that the pocketknife was a dangerous weapon. Relying on this court’s nonprecedential opinion, *State v. Walker*, No. A22-1734, 2023 WL 8539594, (Minn. App. Dec. 11, 2023), *rev. denied* (Minn. Feb. 28, 2024), the district court denied his motion. It concluded the evidence was sufficient because Abdi possessed a foldable pocketknife with a blade that measured approximately three inches, “engaged in a verbal altercation with [J.C.]” after being told multiple times to leave the post office, brandished the knife in J.C.’s presence, and that “[J.C.] testified he felt [Abdi] displayed the knife to let him know he had it and to prevent [J.C.] coming near him.” The totality of these circumstances, the district court stated, were sufficient to prove that Abdi “intended to use his pocketknife as a dangerous weapon inside the post office.”

² The prosecutor’s reference to “flip a switch” occurred during closing argument and was not evidence. The photograph of the pocketknife admitted as an exhibit does not depict any visible button, switch, or other automatic-opening mechanism.

Abdi was convicted and sentenced to 98 months in prison for burglary while possessing a dangerous weapon. The district court also convicted Abdi of drug possession based on his guilty plea and imposed a concurrent sentence of 364 days.

Abdi appeals

DECISION

The statute under which Abdi was convicted makes it a crime to commit a burglary while possessing a dangerous weapon. Minn. Stat. § 609.582, subd. 1(2). As relevant here, Minnesota Statutes section 609.02, subdivision 6 (2024), defines “dangerous weapon” as (1) “any device designed as a weapon and capable of producing death or great bodily harm” or (2) “any other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.”

Abdi argues that the state failed to prove beyond a reasonable doubt that the pocketknife falls under either of the two definitions of “dangerous weapon” that were instructed to the jury. First, he argues that the state failed to prove that the pocketknife was a dangerous weapon because it was not “designed as a weapon” within the meaning of Minnesota Statutes section 609.02, subdivision 6. Second, he argues that the state failed to prove beyond a reasonable doubt that he used or intended to use the pocketknife in a manner “calculated or likely to produce death or great bodily harm.” We address each argument in turn.

I. The circumstantial evidence was insufficient to prove that the pocketknife was designed as a dangerous weapon.

Abdi first argues that the evidence is insufficient to establish that the pocketknife is a dangerous weapon. Specifically, he contends that the circumstances proved are consistent with the rational hypothesis that the pocketknife is an ordinary knife designed for lawful and utilitarian purposes rather than for attack or defense. Abdi further argues that the circumstances proved are inconsistent with any reasonable inference that the pocketknife was specially designed or intentionally adapted for use as a weapon.

A. Standard of Review

As an initial matter, both parties contest the applicable standard of review. The state asks us to apply the direct-evidence standard of review because it produced the pocketknife as evidence, which the jury examined firsthand. Abdi does not dispute that the pocketknife itself is direct evidence. Rather, he argues that the pocketknife is not sufficient direct evidence to prove that it was designed as a dangerous weapon and, therefore, the circumstantial-evidence standard of review applies.

When reviewing a sufficiency-of-the-evidence challenge, we consider whether the state relied on direct or circumstantial evidence at trial. *State v. Segura*, 2 N.W.3d 142, 155 (Minn. 2024). Direct evidence is “evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.” *State v. Harris*, 895 N.W.2d 592, 599 (Minn. 2017) (quotation omitted). Circumstantial evidence is “evidence from which the factfinder can infer whether the facts in dispute existed or did not exist.” *Id.* (quotation omitted). If a conviction necessarily depends on circumstantial

evidence, the reviewing court applies a heightened standard of review. *Segura*, 2 N.W.3d at 155. A conviction necessarily depends on circumstantial evidence if proof of the offense, or a single element of the offense, is based solely on circumstantial evidence. *State v. Fairbanks*, 842 N.W.2d 297, 307 (Minn. 2014).

For an element proven by direct evidence, “we painstakingly review the record to determine whether that evidence, viewed in the light most favorable to the verdict, was sufficient to permit the jurors to reach the verdict that they did.” *Segura*, 2 N.W.3d at 155. (quotation omitted). When applying the direct-evidence standard, we examine the record “to determine whether the evidence and reasonable inferences, drawn therefrom, viewed in a light most favorable to the verdict, were sufficient to allow the jury to reach its verdict.” *State v. Hohenwald*, 815 N.W.2d 823, 832 (Minn. 2012) (quotation omitted). In conducting this review, we assume that the jury “believed the state’s witnesses and disbelieved any evidence to the contrary.” *State v. Moore*, 438 N.W.2d 101, 108 (Minn. 1989).

The state argues that there was direct evidence that the pocketknife was designed as a weapon. It points to testimony at trial that the blade is three-inches long, the blade folds into the handle, there is a button on the pocketknife that causes it to unfold, and the pocketknife makes a clicking noise when it is unfolded. Along with observing the pocketknife itself, the state believes this is direct evidence that it was designed as a dangerous weapon. We disagree.

In re Welfare of P.W.F., 625 N.W.2d 152 (Minn. App. 2001), which involves a similar fact pattern to this case, establishes that the circumstantial evidence test applies. In

P.W.F., a student mistakenly brought a folding knife with a three-inch blade to school and was consequently charged with possession of a dangerous weapon. *Id.* The student appealed on sufficiency-of-the-evidence grounds. *Id.* at 153-54. This court concluded that the state “submitted no evidence that appellant’s knife was designed as a weapon.” *Id.* at 154. Notably, the district court in that case “made no findings concerning the purpose for which the knife was designed” but appeared to be “taking judicial notice” that it was designed as a weapon. *Id.* This court stated, “[a] folding knife has many uses, and while it is readily apparent that a folding knife could be used as a weapon, it is not apparent that appellant’s small folding knife was designed as a weapon rather than for its many other uses.” *Id.* The court added that “the purpose for which the knife was designed is not a matter of common knowledge.” *Id.* Thus, the state must prove the “purpose for which the knife was designed.” *Id.* at 155. According to *P.W.F.*, because “the purpose for which the knife was designed is not a matter of common knowledge,” the district court would have had to make an “inference that the knife was designed as a weapon.” *Id.* at 154.

P.W.F. indicates that the state must present something more than the pocketknife itself as evidence to prove it was a dangerous weapon. The state must show evidence that the pocketknife was “produce[d] with special intentional adaptation to a specific end” of attack or defense. *Douglas v. State*, 986 N.W.2d 705, 710 (Minn. 2023); *State v. Glover*, 952 N.W.2d 190, 194 (Minn. 2020).

We are not convinced that presenting the pocketknife was sufficient for the jury to determine that it was designed as a dangerous weapon. While there is evidence of the pocketknife’s features—through the officer’s testimony describing the pocketknife—this

testimony does not necessarily mean that Abdi's pocketknife was designed as a dangerous weapon. Indeed, pocketknives may be designed for a wide variety of uses, such as opening packages, cutting rope, and for various outdoor activities, such as camping, hunting, and fishing. And while the pocketknife here could be used as a dangerous weapon, that does not inherently make it designed as one. *See P.W.F.*, 625 N.W.2d at 154-55 (noting that the state must present evidence showing that a knife was actually designed to be a weapon); *C.A.D.*, 2001 WL 477214, at *2-3 (rejecting state's argument that a knife was a dangerous weapon because, while it could be used for legitimate uses for outdoor recreation, it was still capable of "producing death or great bodily harm").

Because the state's evidence relating to the purpose for which the pocketknife was designed requires "an inferential step" to determine that it was designed as a dangerous weapon, we apply the circumstantial-evidence test. *See Harris*, 895 N.W.2d at 599.

When the state presents only circumstantial evidence to prove an element of the conviction challenged on appeal, "we apply a two-step test to assess the sufficiency of the evidence on those elements." *State v. Firkus*, 31 N.W.3d 468, 478 (Minn. 2026). We begin by identifying the circumstances proved by the state. *State v. Isaac*, 9 N.W.3d 812, 815 (Minn. 2024) (quotation omitted). In doing so, we "'winnow down the evidence presented at trial by resolving all questions of fact in favor of the jury's verdict,' resulting in a 'subset of facts that constitute the circumstances proved.'" *Firkus*, 31 N.W.3d at 478 (quoting *Harris*, 895 N.W.2d at 601). Then, "we consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent

with any rational hypothesis other than guilt.” *Id.* (quotation omitted). “If a reasonable inference other than guilt exists, then we will reverse the conviction.” *Loving v. State*, 891 N.W.2d 638, 643 (Minn. 2017).

B. Circumstances Proved

We begin by identifying the circumstances proved. When viewing all questions of fact in the light most favorable to the guilty verdict, we are left with the following subset of facts as circumstances proved by the state: Abdi possessed a pocketknife. The pocketknife’s blade is approximately three inches long. The blade is sharpened on only one side and has a conventional shape. The blade folds into the handle. It lacks a serrated edge, blood groove, or any other distinctive feature associated with combat or tactical use. The pocketknife makes a clicking noise when it is opened. When fully folded into the handle, a narrow portion of the blade remains visible along the dull edge of the blade. An exposed metal crescent is visible at the base of the handle opposite the groove in which the blade rests when closed. The handle does not have a button that can be pressed to cause the blade to automatically fully open.

C. Reasonable Inferences from the Circumstances Proved

At the second step, “we consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent with any rational hypothesis other than guilt.” *Firkus*, 31 N.W.3d at 478. We give no deference to the factfinder and instead independently evaluate the reasonableness of the inferences. *Id.*

The circumstances proved here do not support a reasonable inference that the pocketknife was either specially designed or intentionally adapted for use as a weapon. The pocketknife is only about three-inches long—similar in size to the folding knife discussed in *P.W.F.* Additionally, the pocketknife lacks a serrated edge, blood groove, or any other distinctive feature associated with combat or tactical use—similar in size to the folding knife in *P.W.F.* Consequently, here the pocketknife appears designed for the many lawful and utilitarian purposes commonly associated with pocketknives. *See P.W.F.*, 625 N.W.2d at 155 (concluding that the knife was not “designed as a weapon rather than for its many other uses”). Accordingly, the circumstances proved support a reasonable inference that the pocketknife was not specially designed or intentionally adapted for attack or defense. Thus, there is no basis to conclude that the pocketknife is a dangerous weapon by virtue of its design. *Id.*

The state argues that the evidence presented to the jury in this matter is similar to that presented in *State v. Walker*, 2023 WL 8539594, at *3-4.³ There, Walker was charged with attempted first-degree aggravated robbery after he approached an individual sitting outside of a casino and demanded the individual’s shoes while brandishing a seven-to-ten-inch knife. *Id.* at *1, *4. At trial, the jury observed a photo of the knife and the knife itself, and the district court told the jury that a dangerous weapon is “any device designed as a weapon and capable of producing death or great bodily harm.” *Id.* at *1-2. Walker

³ “Nonprecedential opinions and order opinions are not binding authority except as law of the case, res judicata or collateral estoppel, but nonprecedential opinions may be cited as persuasive authority.” Minn. R. Civ. App. P. 136.01, subd. 1(c).

appealed, arguing that the jury's observation of the knife itself, without more, was not sufficient direct evidence to prove that the knife was designed as a weapon. *Id.* at *3. This court concluded, however, that there was sufficient circumstantial evidence to prove that the knife was designed as a dangerous weapon. *Id.* at *4.

Walker only reaffirms that the circumstantial-evidence test applies. In *Walker*, the court determined that, even assuming the trial record, including the knife itself, did not contain sufficient direct evidence of the knife's design, the circumstantial evidence was sufficient to establish that the knife was designed as a weapon. *Id.* at *3. The court emphasized that the trial evidence included the knife itself, allowing for close examination of its appearance and method of opening. *Id.* at *3. The court also noted that the knife was not small, measuring approximately seven to ten inches in length, making it significantly larger than the three-inch folding knife at issue in *P.W.F.* *Id.* at *4. Finally, the court relied on evidence concerning Walker's possession and use of the knife, from which a reasonable fact finder could infer that the knife was designed as a weapon.

This case is materially different. Unlike in *Walker*, the record here does not include any evidence sufficient to establish that the pocketknife was designed as a weapon. Additionally, in *Walker*, the circumstantial evidence included Walker expressly threatening his victim with the knife. Here, Abdi never approached J.C. with the pocketknife, pointed it at him, or otherwise used it in a threatening manner.

For these reasons, we conclude that there was insufficient circumstantial evidence to prove that Abdi's pocketknife was designed as a dangerous weapon.

II. The circumstantial evidence was insufficient to prove Abdi used or intended to use the pocketknife in a manner that was calculated or likely to cause death or great bodily harm.

Abdi next argues that the state did not prove beyond a reasonable doubt that he used or intended to use the pocketknife in a manner that was calculated or likely to cause death or great bodily harm. *See* Minn. Stat. § 609.02, subd. 6 (defining a dangerous weapon as any “device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to cause death or great bodily harm”).

A. Standard of Review

Again, we first determine whether the disputed element was proved by direct or circumstantial evidence. *Segura*, 2 N.W.3d at 155. Here, the manner in which Abdi used the pocketknife was established through direct evidence. J.C. testified from personal observation that Abdi held and displayed the pocketknife during the encounter. But determining whether that manner of use was “likely to produce death or great bodily harm” requires an inference from those observed facts. *See* Minn. Stat. § 609.02, subd. 6; *Harris*, 895 N.W.2d at 599 (contrasting direct and circumstantial evidence). Because proof of the disputed element depends on an inference drawn from the evidence, the conviction rests on circumstantial evidence, and we apply the heightened standard of review governing circumstantial-evidence cases. *See Segura*, 2 N.W.3d at 155. As discussed above, under the circumstantial-evidence standard, we first identify the circumstances proved, resolving factual disputes in favor of the verdict. *Firkus*, 31 N.W.3d at 478. We then determine whether the reasonable inferences from those circumstances, viewed as a whole, are consistent with guilt and inconsistent with any rational hypothesis other than guilt. *Id.* at

478. If a reasonable inference other than guilt exists, reversal is required. *Loving*, 891 N.W. 2d at 643.

B. Circumstances Proved

The circumstances proved include the following: In November 2024, J.C. was working the overnight shift at a post office when he heard people “shouting” in the mailbox area. J.C. observed Abdi “pacing around” in camouflage pants, a black coat, and a red-plaid scarf. Abdi removed his coat and scarf and appeared to get comfortable. J.C. told Abdi to leave and he refused, sounding mumbled and slurred. J.C. repeated himself, telling Abdi to leave, and Abdi raised his voice to match that of J.C.’s. Abdi slowly crouched to the ground and sat behind a trash can next to a desk in the corner of the lobby with his knees pulled up to his chest. J.C. heard a clicking noise and saw Abdi pull out a pocketknife. J.C. went behind a secure glass door, called 911 and observed Abdi “sitting there playing with [the pocketknife] on his right-hand side,” drawing figure eights with the blade pointed to the ground. Abdi did not threaten or make eye contact with J.C. J.C. believed Abdi was “showing” J.C. that he had the pocketknife and indicating to J.C. not to approach him. J.C. felt scared because he did not know if Abdi “was on something.” While J.C. was on the phone with 911, Abdi gathered his coat and scarf, paced around the lobby, and eventually left the post office.

C. Reasonable Inference from the Circumstances Proved

At the second step, “we consider whether the reasonable inferences that can be drawn from the circumstances proved, when viewed as a whole and not as discrete, isolated facts, are consistent with the hypothesis that the accused is guilty and inconsistent with any

rational hypothesis other than guilt.” *Firkus*, 31 N.W.3d at 478. We give no deference to the factfinder and instead independently evaluate the reasonableness of the inferences. *Id.*

The circumstances proved here permit a reasonable inference that Abdi was fidgeting with the pocketknife after retreating to a corner of the lobby and did not intend to use it in a manner calculated or likely to cause death or great bodily harm. Abdi entered the post office around 3:00 a.m., and after a verbal altercation with J.C., retreated to the corner of the room, huddled between a desk and a trash can, as far from J.C. as the room allowed. While there, with his knees huddled against his chest, Abdi mindlessly fiddled with the pocketknife, tracing figure eights with the blade pointed to the floor. Abdi never threatened J.C. He never lunged at him. Never approached him. Never even pointed the pocketknife at him. And J.C. testified that Abdi played with the pocketknife on his right-hand side, the side closest to the wall and opposite where J.C. was located. We note that while J.C. may have genuinely feared Abdi in the moment, his perceived fear does not negate a reasonable inference from all the circumstances that Abdi did not use or intend to use the pocketknife in a manner likely to cause death or great bodily harm.

To convince us otherwise, the state points to *State v. Patton*, 414 N.W.2d 572, 573 (Minn. App. 1987), to argue that Abdi used or intended to use the pocketknife as a means of staying inside the post office when he had been told to leave. There, Patton was served a summons at his apartment and followed the process server to the apartment lobby. *Id.* Patton “tore up the papers,” brandished a buck knife with a six-inch-long blade, “waved his arms around,” “went into an attack position,” and displayed the knife “within one to two feet” of the victim. *Id.* at 573-74. He continued yelling and twice approached the

victim with the knife in-hand but did not swing at or attempt to stab him. *Id.* On appeal, Patton argued that the buck knife was not a dangerous weapon. *Id.* at 574. But this court rejected his argument because there was sufficient evidence that he “brandished the knife in such a manner that the jury could have found it was used as a dangerous weapon to cause fear in another of immediate bodily harm.” *Id.* (quotation omitted).

The circumstances in *Patton* are materially different from this case. As the state concedes, Abdi never went into an “attack position” or acted in an aggressive manner while in the post office. Unlike *Patton*, Abdi did not brandish the pocketknife “within one to two feet” of J.C. Nor did Abdi wave, yell, or even approach J.C. while holding the pocketknife.

In sum, the circumstantial evidence is insufficient to prove that Abdi’s pocketknife was designed as a dangerous weapon under section 609.02, subdivision 6. And the circumstances proved permit a reasonable alternative hypothesis that Abdi did not use or intend to use the pocketknife in a manner that was likely to cause death or great bodily harm.

Reversed and remanded.