

STATE OF MINNESOTA
IN COURT OF APPEALS

Madeline Sally Machla Lee,

Respondent,

vs.

Kellye Strickland,

Appellant.

ORDER

#A25-1655

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

1. In 2024, the district court granted respondent a harassment restraining order (HRO) against appellant.

2. In May 2025, the district court denied appellant's motion to vacate the HRO. On May 23, 2025, appellant filed documents in district court. The documents approximated the documents that might initiate an appeal. Appellant, however, did not file those documents in this court. More litigation in district court followed.

3. By order filed August 18, 2025, the district court addressed certain motions, including appellant's "Motion for Clarification regarding May 23, 2025 requests information regarding [appellant's] appeal." The order states: "The District Court is a court of first instance and does not handle appeals. All questions about the appellate process are best answered by the Minnesota Court of Appeals."

4. On September 10, 2025 appellant petitioned us for a writ for mandamus (A25-1485). The petition apparently sought to compel the district court to file, in this court,

the documents she filed in district court. By order filed September 23, 2025, we denied that petition. Our order noted that appellant failed to adequately brief the petition, and that—even ignoring that defect in the petition—a writ of mandamus was not appropriate.

5. On October 6, 2025, appellant filed this appeal from the district court’s August 18, 2025 order.

6. On November 12, 2025, in this appeal, appellant filed a document captioned: “MOTION FOR APPELLATE INTERVENTION AND PROTECTIVE RELIEF.” Appellant asserts respondent initiated enforcement proceedings in district court.

7. The time to respond to appellant’s motion to us has not expired. Minn. R. Civ. App. P. 127. We may suspend the rules to expedite a decision. Minn. R. Civ. App. P. 102. It is judicially efficient to decide the motion now.

8. Appellant asks us to stay proceedings in district court because, while this appeal is pending, “the district court has no authority to consider contempt or enforcement proceedings arising from the underlying HRO.” Appellant is incorrect.

9. Notwithstanding a pending appeal, the district court “retains jurisdiction as to matters independent of, supplemental to, or collateral to” the ruling being appealed. Minn. R. Civ. App. P. 108.01, subd. 2. Collateral matters over which a district court retains jurisdiction pending appeal include enforcement of an order or judgment. *David N. Volkmann Constr., Inc. v. Isaacs*, 428 N.W.2d 875, 876-77 (Minn. App. 1988) (citing *Spaeth v. City of Plymouth*, 344 N.W.2d 815, 824 (Minn. 1984)). Thus, while an appeal of a ruling is pending, the district court may enforce that ruling. *Id.*

10. To the extent appellant asserts respondent's attorney improperly served the motion currently at issue in district court, appellant may address that point in district court.

11. Appellant's other requests to us for relief assume the pendency of this appeal precluded the district court from acting.

IT IS HEREBY ORDERED:

1. Appellant's motion is denied.

2. We express no opinion on the merits of this appeal. We also express no opinion on whether the scope of review for this appeal includes the 2024 harassment restraining order. Nor do we express an opinion on any matter to be decided by the district court.

3. The clerk of the appellate courts shall provide copies of this order to the Honorable Nicole Starr, Referee Jenese Larmouth, the self-represented petitioner, counsel for respondent, and the district court administrator.

Dated: November 12, 2025

BY THE COURT



Jennifer L. Frisch
Chief Judge