STATE OF MINNESOTA
IN COURT OF APPEALS
A23-1147

State of Minnesota,
Respondent,

vs.

J Nicholas Cramer,
Appellant.

Filed September 3, 2024
Affirmed
Halbrooks, Judge[*]

St. Louis County District Court
File No. 69VI-CR-20-619

Keith Ellison, Attorney General, Jacob Campion, Assistant Attorney General, St. Paul, Minnesota; and

Kimberly Maki, St. Louis County Attorney, Duluth, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Jennifer Workman Jesness, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Ross, Presiding Judge; Johnson, Judge; and Halbrooks, Judge.

[*] Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

HALBROOKS, Judge

In this appeal from the judgment of conviction of second-degree intentional murder, appellant argues that the district court (1) abused its discretion by permitting the state to amend his indictment for first-degree premeditated murder by filing a complaint and (2) violated his rights to confrontation and to present a complete defense by precluding him from cross-examining witnesses and by excluding evidence relevant to his defense theory. In a pro se supplemental brief, appellant argues that the state failed to present sufficient evidence to support his conviction. We affirm.

FACTS

In June 2020, respondent State of Minnesota charged appellant J Nicholas Cramer with one count of second-degree intentional murder under Minn. Stat. § 609.19, subd. 1(1) (2018), for the death of F.M. A grand jury returned an indictment in July 2022 charging Cramer with one count of first-degree murder under Minn. Stat. § 609.185(a)(1) (2018).

In late March 2023, a week before trial, Cramer moved to introduce certain out-of-court statements made by F.M. and numerous individuals involved with the murder investigation. The state opposed Cramer's motion, arguing that it was untimely and that the evidence was irrelevant and constituted unnoticed alternative-perpetrator evidence. The district court reserved most of its rulings on Cramer's motion for trial, but ultimately denied them.

The jury trial occurred in April 2023. Before the jury was sworn in, the state moved to amend the indictment to add a count II for second-degree intentional murder as a lesser-

included offense of count I. Cramer opposed the motion, arguing that the second-degree murder charge had been dismissed under Minn. R. Crim. P. 18.06 when the grand jury returned the indictment charging only first-degree murder. The district court allowed the amendment, and the state filed a motion to amend with an attached document entitled, "Amended Complaint/Indictment" that included both count I for first-degree murder and count II for second-degree intentional murder.

During trial, the state presented evidence and testimony from 20 witnesses, including F.M.'s father, F.M.'s neighbors and friends, law enforcement officers and investigators, Minnesota Bureau of Criminal Apprehension (BCA) scientists, and the medical examiner. Cramer submitted proffered evidence to the district court and called one witness, a BCA special agent, but did not testify on his own behalf.

The trial evidence established that, before his death, F.M. had lived at his property in Makinen for about a year. Although Cramer lived in Mora, he stored and frequently worked on various vehicles on F.M.'s property and stayed in a camper on the property when he visited. Cramer had known F.M. for approximately a year, and F.M. called him "Cuz."

The state presented evidence that, over time, tensions began to rise between F.M. and Cramer. They would argue, yell, swear, and threaten each other, culminating in F.M. telling Cramer to remove his possessions from F.M.'s property in September 2019. F.M. believed that Cramer had shot a hole through the rear window of F.M.'s Grand Am vehicle, and on the evening of September 30, F.M. texted someone that he was "gonna snap," explaining that "Cuz" had "busted the back window out of [the Grand Am]." At some

point, F.M. also showed a friend the Grand Am and said, "look what [Cramer] did to it." On the evening of October 1, F.M. texted Cramer and asked about what had happened to the Grand Am's window. Cramer replied that he did not know. F.M. responded, in part, "nice 22 hole in the back seat of grand am" and later "I don't want any of your belongings fella I would appreciate ya not talking anymore shit ya got something to say to me say it to me."

On October 2, 2019, F.M. called and spoke with a friend at 6:39 p.m. He sent a text to his daughter at 7:40 p.m., saying "Love ya." His daughter responded "Love" by text at 8:05 a.m. on October 3, but that text went unread. F.M.'s cellphone's step tracker recorded his last steps between 7:54 and 7:55 p.m. on October 2.

On October 8, St. Louis County Sherriff's officers responded to a welfare check request for F.M., made by neighbors who had not seen him for approximately a week. Officers found F.M.'s deceased body in his garage, concealed under piled bags of insulation. F.M.'s hands were bound, his ankles were duct-taped together, and multiple rags were stuffed in his mouth and down his throat. He had been shot four times and had blunt-force trauma injuries to his upper body and head that investigators determined were caused by an object longer than it was wide. Investigators found F.M.'s cellphone, which had gone dead in the early morning of October 3, in his pocket. A medical examiner deemed F.M.'s death a homicide caused by gunshot wounds, blunt-force head trauma, and suffocation. The examiner opined that F.M.'s death had not been recent, as there was no rigor mortis.

In F.M.'s garage, investigators recovered a bloody metal pipe from a garbage can near F.M.'s body and took samples of multiple blood spatters found in the area. Testing revealed F.M.'s blood and Cramer's DNA on the pipe, but investigators were unable to gather sufficient evidence to match Cramer's DNA to any other piece of evidence. Investigators found one fingerprint on the pipe that matched F.M.'s right ring finger.

Investigators eventually learned that a private seller, J.B., had sold a Ruger .22 pistol to Cramer sometime before F.M.'s death. At the time of the sale, J.B. intended on buying the pistol back. But after F.M.'s death, Cramer told him that the pistol "was gone." Investigators recovered a single shell casing and two unfired .22 shells from Cramer's camper and a variety of shell casings from F.M.'s property, including inside and outside of the garage, which were consistent with a .22-caliber firearm. Ballistic testing of the three bullets recovered from F.M.'s body concluded that they could have been fired by a .22 Ruger pistol. Investigators also recovered a bullet fragment lodged in the back of the passenger seat of F.M.'s Grand Am. Investigators recovered six spent shell casings from where J.B. test-fired the pistol before the sale, which the BCA matched to shell casings recovered from in and outside F.M.'s garage. The BCA determined that the six test-fired casings and the casings recovered in and outside of F.M.'s garage were all .22 caliber and fired by the same firearm and could have been fired by a Ruger .22 pistol.

The state presented Cramer's previous statements to investigators that, on October 2, he was moving cars from F.M.'s property onto a neighbor's property until around "10, 11 or 12 p.m.," that he last saw F.M. entering his garage, and that no one else was on F.M.'s property except for Cramer and his wife. Cellphone-tower data from

October 2 confirmed that Cramer remained near F.M.'s property until around 9:52 p.m. Cramer never retrieved the vehicles he moved from F.M.'s property to the neighbor's property.

The state also presented a recorded jail call from August 2020 in which Cramer complained about a person looking for a gun at his house to give to the BCA. The other person on the call told Cramer, "yeah, she ain't gonna find that anyways," and Cramer replied, "No, I know she ain't." The other person told Cramer that "everything's good out that way you don't gotta worry about that," and Cramer again replied with, "No, I know."

At the close of trial, the jury returned a verdict acquitting Cramer of count I and finding him guilty of count II. The district court sentenced Cramer to 439 months' imprisonment.

This appeal follows.[1]

DECISION

Cramer argues that the district court (1) abused its discretion by permitting the state to amend the indictment by complaint to add a charge of second-degree intentional murder and (2) violated his constitutional rights to confrontation and to present a complete defense by preventing him from cross-examining witnesses and presenting relevant evidence to support his failure-to-investigate defense. In a pro se brief, Cramer also argues that the

[1] Cramer filed this appeal in early August 2023, but later requested that the appeal be stayed so that he could pursue postconviction relief to correct his criminal-history score. We granted Cramer's motion. In January 2024, Cramer moved to dissolve the stay and reinstate the appeal after the district court entered an order withdrawing Cramer's petition at his request. We then reinstated Cramer's appeal.

state failed to present sufficient evidence to sustain his conviction for second-degree intentional murder. We address each argument in turn.

I. The district court did not abuse its discretion by permitting the state to amend the indictment to add a charge of second-degree intentional murder.

Cramer contends that the district court abused its discretion by allowing the state to amend the indictment by complaint, arguing that first-degree premeditated murder must be charged by indictment, an indictment cannot be amended by a complaint, and only a grand jury can return an indictment. We disagree.

"An offense punishable by life imprisonment *must* be prosecuted by indictment. . . ." Minn. R. Crim. P. 17.01, subd. 1 (emphasis added). "Charges filed against the defendant for offenses on which no indictment was issued must be dismissed." Minn. R. Crim. P. 18.06. After a grand jury has returned an indictment, whether to allow its amendment is within the discretion of the district court, which appellate courts review for an abuse of discretion. *State v. Bakdash*, 830 N.W.2d 906, 916 (Minn. App. 2013), *rev. denied* (Minn. Aug. 6, 2013). "An amendment of an indictment occurs when the state . . . alters the charging terms of the indictment after the grand jury has finally passed on them." *State v. Pettee*, 538 N.W.2d 126, 131 (Minn. 1995).

We conclude that the district court did not abuse its discretion by allowing the state to amend the indictment. Even assuming without deciding, as Cramer argues, that the grand jury's indictment operated to dismiss the state's original complaint for second-degree intentional murder under rule 18.06, the indictment could nevertheless be amended to add that charge without first presenting it to a grand jury. *See State v. Wickstrom*, 405 N.W.2d

1, 4 (Minn. App. 1987) (rejecting appellant's argument that "indictment[s] may only be amended by the grand jury" after noting that rule 17.05's language allowing an indictment to be amended only if "no additional or different offense is charged" is "sufficient to protect the function of the grand jury"), *rev. denied* (Minn. June 30, 1987).

Here, the district court itself could have exercised its discretion to submit a lesser murder offense to the jury. *See State v. Leinweber*, 228 N.W.2d 120, 125 (Minn. 1975) (noting that "in a murder case it is preeminently the [district] court's duty in the exercise of its discretion to determine what lesser degrees of homicide to submit" and that "[n]either the prosecution nor the defense can limit the submission of such lesser degrees as the [district] court determines should be submitted"); *see also* Minn. Stat. § 631.14 (2018) ("Upon an indictment . . . for an offense consisting of different degrees, the jury may find the defendant not guilty of *the degree charged in the indictment* . . . and guilty of *any degree inferior to that.*" (emphasis added)).

Cramer appears to argue that the state's filing of the document entitled "amended complaint/indictment" equated to filing a new complaint, and therefore did not comply with rule 17.01's requirement to submit first-degree murder charges by indictment. But the district court requested that the state submit a motion to amend if it wanted to include a charge of second-degree murder in the indictment. The state submitted a motion to amend to *add* a charge of second-degree murder to the indictment—it did not file a new complaint.[2] And second-degree murder need not be charged by an indictment, because it

[2] Cramer's reliance on *Pettee* as exemplifying a "valid amendment" to an indictment is also unpersuasive. In *Pettee*, the district court dismissed the state's initial indictment based on

is not "[a]n offense punishable by life imprisonment." Minn. R. Crim. P. 17.01, subd. 1; *see also* Minn. Stat. § 609.19, subd. 1 (2018). Cramer's argument fails.

II. The district court did not violate Cramer's constitutional rights to confrontation and to present a complete defense by limiting the scope of his evidence and cross-examination of witnesses.

Cramer next claims that the district court abused its discretion by denying him the opportunity to cross-examine witnesses and to present admissible evidence to show that law enforcement failed to investigate other leads. We are not persuaded.

Even when a defendant alleges a violation of his constitutional rights, appellate courts review a district court's evidentiary rulings, including the scope of cross-examination, for an abuse of discretion. *State v. Profit*, 591 N.W.2d 451, 463 (Minn. 1999) (stating rule in context of evidentiary challenge based on the constitutional right to present complete defense); *State v. Atkinson*, 774 N.W.2d 584, 589 (Minn. 2009). "A district court abuses its discretion when its decision is based on an erroneous view of the law or is against logic and the facts in the record." *State v. Hallmark*, 927 N.W.2d 281, 291 (Minn. 2019) (quotation omitted). However, "[e]rror may not be predicated upon a ruling which . . . excludes evidence unless a substantial right of the party is affected." Minn. R. Evid. 103(a).

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a curable defect. 538 N.W.2d at 127-28. The state then filed a criminal complaint against the defendant charging identical offenses to those in the first indictment, and a successor grand jury later returned an indictment against the defendant for first-degree murder. *Id.* at 128. Contrary to Cramer's assertion, the *Pettee* court noted that the district court had dismissed the original indictment and the state had not amended it, but had *replaced* it, by filing the complaint. *Id.* at 131. Here, the district court did not dismiss the original indictment, and the state filed an *amended* "complaint/indictment" to incorporate the second charge. *Pettee* is inapposite.

The right to confront witnesses is protected under both the United States and Minnesota Constitutions, U.S. Const. amend. VI; Minn. Const. art. I, § 6, and "[e]nsures that the witness will give his statements under oath," "forces the witness to submit to cross-examination," and "permits the jury [tasked with deciding] the defendant's fate to [assess the witness's] credibility." *California v. Green*, 399 U.S. 149, 158 (1970). But, although the Confrontation Clause "guarantees an opportunity for effective cross-examination," a person does not have a right to "cross-examination that is effective in whatever way, and to whatever extent, the defense might wish." *Id.* at 566 (quotation omitted); *see also State v. Tran*, 712 N.W.2d 540, 551 (Minn. 2006). District courts "retain wide latitude insofar as the Confrontation Clause is concerned to impose reasonable limits on such cross-examination. . . ." *State v. Brown*, 739 N.W.2d 716, 720 (Minn. 2007) (quotation omitted).

A defendant also has the constitutional right to present a complete defense, but that right is not absolute. *Atkinson*, 774 N.W.2d at 589. A district court can limit the scope of a defendant's arguments so as not to confuse the jury, but "a defendant has the right to make all legitimate arguments on the evidence, to explain the evidence, and to 'present all proper inferences to be drawn therefrom.'" *Id.* (quoting *State v. Wahlberg*, 296 N.W.2d 408, 419 (Minn. 1980)).

Here, Cramer's defense rested on the theory that law enforcement failed to adequately investigate the offense; he did not raise an alternative-perpetrator defense. The district court limited much of Cramer's evidence and cross-examination of witnesses after determining that the evidence and questioning functioned as a "back-door" to admit alternative-perpetrator evidence.

We are guided in our analysis of this issue by two cases: *Tran*, and *State v. Glover*, 4 N.W.3d 124 (Minn. 2024). In *Tran*, the supreme court concluded that the district court did not abuse its discretion by allowing the defendant to cross-examine investigators about certain suspects that he claimed should have been investigated more thoroughly, while prohibiting him from eliciting evidence about a third-party suspect's gang affiliation. 712 N.W.2d at 550-52. The third-party suspect did not qualify as an alternative perpetrator. *Id.* at 551-52. The supreme court noted that the prohibition did not directly implicate the Confrontation Clause because the defendant's goal in eliciting such testimony was not to show that the police investigators were biased, and he was still able to cross-examine those investigators for bias. *Id.* at 551. The supreme court warned that "delving too deeply into the prejudicial history of some . . . suspects via cross-examination of the investigators [was] in essence bringing alternative[-]perpetrator evidence in through the back door," and emphasized that the alternative-perpetrator rule which makes such evidence inadmissible "absent some evidence having an inherent tendency to connect the alternative[-]perpetrator with the crime . . . cannot be circumvented in [that] manner." *Id.* at 551-52.

Similarly, in *Glover*, the supreme court concluded that the district court properly exercised its discretion by denying the defendant's request to question a lead investigator about whether the investigation encompassed a prior shooting. 4 N.W.3d at 137. The supreme court reasoned that the evidence was not relevant to the offense, as there was no evidence or named suspect linking the prior shooting to the murder at issue. *Id.* Further, the defendant's confrontation rights were not violated because he was able to extensively

cross-examine the lead investigator about the investigation and the possibility that the defendant was not the shooter. *Id.* at 138.

Here, the district court denied admission of Cramer's proffered evidence from both available and unavailable witnesses. Most of Cramer's proffered evidence from available witnesses related to F.M.'s relationship with his neighbor, R.A., as well as F.M.'s history of romantic relationships with two women. Cramer purportedly offered the evidence to show that R.A.'s testimony may have been biased because he had an acrimonious relationship with F.M. and to show possible conflicts between F.M. and the women's boyfriends. Additional proffered evidence concerned the existence of a second .22 caliber firearm that may have been missing from F.M.'s home, as well as F.M.'s neighbor's statement that F.M. had been stealing from him.

We conclude that the proffered evidence falls within the "back door" alternative-perpetrator evidence that the *Tran* court addressed. 712 N.W.2d at 552. The evidence does not demonstrate bias by investigators; it concerns other persons' possible motives to harm F.M. As in *Tran* and *Glover,* Cramer was able to cross-examine investigators about the evidence and the scope of their investigation. Further, the district court did not preclude Cramer from eliciting evidence of the contentious relationship between F.M. and R.A., including that R.A. had called the police on F.M. a few evenings before F.M.'s death, that F.M. angrily confronted R.A. while Cramer was moving vehicles from F.M.'s property, that R.A. and F.M.'s former friendship had gone "to hell," that they had many conflicts prior to F.M.'s murder, and that R.A. possessed two .22 caliber firearms.

Cramer also moved to admit out-of-court statements by five people: L.B., a woman with whom he had been romantically involved, who had also dated R.A.; J.O., L.B.'s boyfriend; W.H., F.M.'s deceased friend; M.S., F.M.'s deceased former friend; and F.M.'s statements to W.D., his friend and former employer. We conclude that the district court properly exercised its discretion by denying Cramer's motion.

Generally, "[a]ll relevant evidence is admissible" unless otherwise excluded by law. Minn. R. Evid. 402. Hearsay, an out-of-court statement made by a declarant and offered as evidence to "prove the truth of the matter asserted," is inadmissible absent an exception. Minn. R. Evid. 801(c), 802, 803, 804. The "residual exception" allows the admission of a hearsay statement that is not otherwise covered by a hearsay exception when it has

> equivalent circumstantial guarantees of trustworthiness . . . if the court determines that (A) the statement is offered as evidence of a material fact; (B) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and (C) the general purposes of these rules and the interests of justice will best be served by admission of the statement into evidence. . . .

Minn. R. Evid. 807. To determine whether a statement has "equivalent circumstantial guarantees of trustworthiness," appellate courts should consider the totality of the circumstances, "looking to all relevant factors bearing on trustworthiness." *State v. Robinson*, 718 N.W.2d 400, 408 (Minn. 2006) (quotation omitted).

Specifically, Cramer sought to introduce statements made by L.B. to officers regarding her suspicion that J.O. was involved in F.M.'s murder, as well as statements made by J.O. to officers regarding his jealousy toward F.M. for his attempts to pursue a

relationship with L.B. Cramer also sought to introduce a statement made by F.M. to W.D. approximately one week before F.M. was murdered, indicating that R.A. told F.M. that he was going to kill him, and that R.A. had confirmed making that statement.[3]

The district court properly denied these requests after determining that they functioned as "back-door" alternative-perpetrator evidence and that W.D.'s statement to R.A. could be addressed through cross-examination of R.A. The statements went to J.O. and R.A.'s motive to harm F.M., not investigator bias. Further, other evidence presented to the jury shows that investigators ruled out both J.O. and R.A. as potential suspects. Both provided a DNA sample to law enforcement that was tested against, and excluded from, the physical evidence obtained from the crime scene. Even assuming without deciding that the district court abused its discretion by excluding L.B. and J.O.'s out-of-court statements, the exclusion was harmless considering the other evidence in the record.

Cramer also sought to introduce statements made by two deceased individuals, W.H. and M.S. W.H. had reported to investigators that he was with F.M. on the afternoon of October 2, 2019, between 2:00 p.m. and 3:00 p.m., and Cramer offered W.H.'s statement to rebut the state's evidence implying that Cramer's wife had sexual relations with F.M. during the same time frame. Although the district court determined that W.H.'s statement had sufficient circumstantial guarantees of trustworthiness to defeat the hearsay rule, we conclude that it properly refused to admit the statement after determining it was not material. The state's evidence did not otherwise show that F.M. was home the afternoon

[3] The record does not show that W.D. was unavailable, but that he was not called as a witness by either the state or Cramer.

of October 2, and the jury heard testimony indicating that he was in W.H.'s truck at 4:47 p.m. Considering the evidence presented to the jury, even if the district court abused its discretion by omitting the statement, the error was harmless.

Lastly, Cramer sought to admit a statement made by M.S., F.M.'s former friend, to investigators that he and F.M. had a falling out two years before F.M.'s death. The district court did not abuse its discretion by denying the request because it had no basis to determine whether the statement was trustworthy, as the only circumstances Cramer provided in support of the statement's trustworthiness included that it was made to law-enforcement officers.

Based on our review of the record, we conclude that the district court did not abuse its discretion or violate Cramer's constitutional rights by limiting his evidence and cross-examination of available witnesses.

III. The state presented sufficient evidence to sustain Cramer's conviction for second-degree intentional murder.

In his pro se supplemental brief, Cramer argues that there is insufficient evidence to support his conviction of second-degree intentional murder. Specifically, Cramer argues that there is no DNA evidence, cellphone data, or witness connecting him to the crime; multiple people had threatened to kill F.M.; and the condition of F.M.'s body did not support that Cramer killed him. We disagree.[4]

[4] Cramer's pro se brief mirrors some of the arguments made in his principal brief related to the district court limiting his cross-examination of witnesses, which we have addressed above. He also identifies some evidence that we have not found in the record, including statements made by "K.B." Because those statements were not presented to the district court, we need not consider them. Minn. R. Civ. App. P. 110.01 ("The documents filed in

In reviewing whether evidence is sufficient to support a conviction, appellate courts "review the evidence to determine whether the facts in the record and the legitimate inferences drawn from them would permit the jury to reasonably conclude that the defendant was guilty beyond a reasonable doubt of the offense of which he was convicted." *State v. Al-Naseer*, 788 N.W.2d 469, 473 (Minn. 2010) (quotation omitted). Appellate courts will uphold a jury's verdict if, "giving due regard to the presumption of innocence and to the state's burden of proof beyond a reasonable doubt, [the jury] could reasonably have found the defendant guilty." *State v. Pierson*, 530 N.W.2d 784, 787 (Minn. 1995).

When a defendant's conviction is proved entirely by circumstantial evidence, heightened scrutiny is warranted. *Al-Naseer,* 788 N.W.2d at 473. The heightened-scrutiny standard requires appellate courts to consider whether the circumstances proved, and reasonable inferences that can be drawn from those circumstances, are inconsistent with any rational hypothesis except defendant's guilt. *Id.*; *see also State v. Taylor*, 650 N.W.2d 190, 206 (Minn. 2002). A defendant bears the burden of pointing to evidence in the record "that is consistent with a rational theory other than guilt," but possibilities of innocence, when the entire record makes them unreasonable, are not sufficient. *Al-Naseer*, 788 N.W.2d at 480 (quotation omitted).

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the trial court, the exhibits, and the transcript of the proceedings, if any, shall constitute the record on appeal in all cases."). Cramer also states that J.M. refused to testify on Fifth Amendment grounds, which is inconsistent with the record, as J.M. was in prison during the trial and told the district court and parties that he did not have any material information to testify about.

When reviewing the sufficiency of circumstantial evidence to prove a conviction, appellate courts first identify the circumstances proved, developing a subset of facts consistent with the jury's verdict and disregarding contrary evidence. *State v. Hassan*, 977 N.W.2d 633, 640 (Minn. 2022). Appellate courts then view the evidence as a whole to identify reasonable inferences that can be drawn from the circumstances proved. *Id.* Appellate courts must view the "evidence in the light most favorable to the jury's verdict, assuming 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). To be convicted of second-degree murder under Minn. Stat. § 609.19, subd. 1(1), a person must intentionally, but without premeditation, cause the death of a human being.

Based upon the facts presented above, the circumstances proved would permit a reasonable jury to convict Cramer of second-degree murder. A jury could reasonably infer that Cramer caused F.M.'s death based on: F.M.'s blood and Cramer's DNA found on the pipe near F.M.'s body; F.M.'s body having blunt-force injuries consistent with the pipe; F.M.'s cellphone data; Cramer's cellphone location data; Cramer's statement that he was at F.M.'s property until the late evening of October 2; Cramer's jail-call recording; witness testimony that Cramer and F.M. were on poor terms with one another; the fact that Cramer previously possessed a Ruger .22 pistol and that casings fired from that pistol matched casings found at the crime scene. A jury could also reasonably infer that, based on the extreme nature of F.M.'s injuries, Cramer intended to effect F.M.'s death.

Moreover, Cramer has failed to point to circumstances proved that support a rational hypothesis other than his guilt. Contrary to his arguments, DNA evidence tied Cramer to

F.M.'s murder, and Cramer's cellphone location data and his own statement placed him near the murder scene on the evening of F.M.'s last communication. Cramer did not assert an alternative-perpetrator defense. Finally, the condition of F.M.'s body led the medical examiner to conclude that he had not died recently, and officers failed to immediately find F.M.'s body because it was concealed under piled bags of insulation and the cool weather had slowed decomposition. We conclude that the state presented sufficient evidence to sustain Cramer's conviction of second-degree intentional murder.

Affirmed.