

SUPREME COURT OF NORTH DAKOTA

State v. Krall

2026 ND 7 (N.D. 2026) · No. No. 20240233 · Decided January 15, 2026

SUMMARY

The North Dakota Supreme Court affirmed Shawnee Lynn Krall’s conviction for intentional or knowing murder. The court held that the State presented sufficient circumstantial evidence for the jury to find beyond a reasonable doubt that Krall caused Alice Queirolo’s death, despite the absence of a recovered body and autopsy evidence. The court also concluded that the district court did not commit reversible error by declining to give Krall’s requested circumstantial-evidence jury instruction.

CASE DETAILS

COURT	Supreme Court of North Dakota
WRITING FOR THE COURT	Fair McEvers, Chief Justice; Lisa Fair McEvers, Chief Justice; Daniel J. Crothers; Jerod E. Tufte; Jon J. Jensen; Douglas A. Bahr
JURISDICTION	Supreme Court of North Dakota
DECIDED	January 15, 2026
DOCKET	No. 20240233
DISPOSITION	affirmed
PROCEDURAL POSTURE	Krall appealed an amended criminal judgment entered after a jury convicted him of intentional or knowing murder and the district court sentenced him to life imprisonment without the possibility of parole.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed deferentially by viewing the evidence and reasonable inferences in the light most favorable to the verdict; the conviction is insufficient only if no rational fact finder could find guilt beyond a reasonable doubt. Jury instructions are reviewed as a whole to determine whether they correctly and adequately inform the jury of the applicable law. An instructional error warrants reversal only if the instructions as a whole are erroneous, concern a central subject, and affect a substantial right.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Shawnee Lynn Krall v. State of North Dakota

TOPICS

criminal procedure

evidence

jury instructions

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standard of review

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the evidence, viewed in the light most favorable to the verdict, was sufficient for a rational jury to find beyond a reasonable doubt that Krall intentionally or knowingly caused Queirolo's death.
2. Whether the district court committed reversible error by refusing Krall's requested circumstantial-evidence jury instructions requiring the evidence to exclude every reasonable hypothesis or theory of innocence.
3. Whether the district court's use of pattern jury instruction K-5.16, together with the reasonable-doubt instruction, correctly stated the law on circumstantial evidence.

HOLDINGS

1. The State presented sufficient evidence for a rational jury to find beyond a reasonable doubt that Krall intentionally or knowingly caused Queirolo's death, even though the case relied substantially on circumstantial evidence and no body or autopsy evidence was presented.
2. The district court did not commit reversible error by refusing Krall's requested instructions that would have required the jury to exclude every reasonable hypothesis or theory of innocence before convicting on circumstantial evidence.
3. Pattern jury instruction K-5.16, when considered with the reasonable-doubt and elements instructions, correctly stated the law and was not misleading or confusing.

KEY QUOTATIONS

"A conviction rests upon insufficient evidence only when, after reviewing the evidence in the light most favorable to the prosecution and giving the prosecution the benefit of all inferences reasonably to be drawn in its favor, no rational fact finder could find the defendant guilty beyond a reasonable doubt." (§ 7)

"We agree with the United States Supreme Court that "There is some support for this type of instruction . . . but the better rule is that where the jury is properly instructed on the standards for reasonable doubt, such an additional instruction on circumstantial evidence is confusing and incorrect."" (§ 43)

FACTUAL BACKGROUND

Alice Queirolo, who had significant medical vulnerabilities and maintained regular contact with family and coworkers, disappeared from her Minot home in December 2020 and had no contact with family for nearly four years. Evidence showed her final communications, her vehicle's movements, Krall's movements and use of a Ford sedan around the time of the disappearance, and Krall's uncooperative behavior during welfare checks and the investigation. A jail inmate testified that Krall said he had raped a girl and killed her because she was going

to tell. The State presented no body or autopsy evidence because evidence from a warrantless vehicle search had been suppressed.

PROCEDURAL HISTORY

Krall was charged with murder after the disappearance of Alice Queirolo. The district court previously suppressed evidence from a warrantless search of Krall's vehicle, and the North Dakota Supreme Court affirmed that suppression order. After a five-day jury trial, the jury convicted Krall of intentional or knowing murder, the district court denied his motion for judgment of acquittal, and the court sentenced him to life without parole. Krall appealed, challenging the sufficiency of the evidence and the refusal to give his requested circumstantial-evidence jury instructions.

DISPOSITION

affirmed

CASES CITED

- State v. Foster, 2019 ND 28, ¶¶ 10-11, 921 N.W.2d 454
- State v. Clark, 2015 ND 201, ¶ 8, 868 N.W.2d 363
- State v. Addai, 2010 ND 29, ¶ 52, 778 N.W.2d 555
- State v. Azure, 2017 ND 195, ¶ 25, 899 N.W.2d 294
- State v. Nakvinda, 2011 ND 217, ¶¶ 12, 17, 25-26, 807 N.W.2d 204
- State v. Noorlun, 2005 ND 189, ¶ 20, 705 N.W.2d 819
- State v. Sabo, 2007 ND 193, ¶ 20, 742 N.W.2d 812
- State v. Kukert, 2021 ND 192, ¶ 20, 965 N.W.2d 849
- Lufkins v. Leapley, 965 F.2d 1477, 1482 (8th Cir. 1992)
- United States v. Wilson, 135 F.3d 291, 298 n.4 (4th Cir. 1998)
- State v. Landsberger, 2025 ND 108, ¶ 4, 22 N.W.3d 722
- State v. Tompkins, 2023 ND 61, ¶¶ 8, 11, 988 N.W.2d 556
- State v. Pulkrabek, 2017 ND 203, ¶ 6, 900 N.W.2d 798
- State v. Schneider, 550 N.W.2d 405, 407 (N.D. 1996)
- City of Minot v. Rubbelke, 456 N.W.2d 511, 513 (N.D. 1990)
- State v. Bauer, 2010 ND 109, ¶¶ 10, 14, 783 N.W.2d 21
- State v. Zajac, 2009 ND 119, ¶ 12, 767 N.W.2d 825
- City of Bismarck v. King, 2019 ND 74, ¶ 6, 924 N.W.2d 137
- State v. Roberts, 2021 ND 235, ¶ 11, 968 N.W.2d 183
- State v. Dymowski, 458 N.W.2d 490, 499 (N.D. 1990)
- Houle, 2022 ND 96, ¶¶ 3, 5-7, 974 N.W.2d 401
- Holland v. United States, 348 U.S. 121, 139-40 (1954)

- Jackson v. Virginia, 443 U.S. 307, 326 (1979)
- State v. Johnson, 2001 ND 184, ¶¶ 7, 13, 636 N.W.2d 391
- In re Winship, 397 U.S. 358, 364 (1970)
- State v. Crissler, 2017 ND 249, ¶ 10, 902 N.W.2d 925
- State v. Rourke, 2017 ND 102, ¶ 6, 893 N.W.2d 176
- State v. Dahl, 2010 ND 108, ¶ 17, 783 N.W.2d 41
- State v. Barendt, 2007 ND 164, ¶ 21, 740 N.W.2d 87
- State v. Olmstead, 246 N.W.2d 888, 890 (N.D. 1976)