

**COURT OF APPEALS
DECISION
DATED AND FILED**

September 3, 2014

Diane M. Fremgen
Clerk of Court of Appeals

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

Appeal No. 2014AP596

Cir. Ct. No. 2013SC1523

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT II**

LATASHA LANG,

PLAINTIFF-APPELLANT,

V.

ANTHONY GRIFFIN,

DEFENDANT-RESPONDENT.

APPEAL from a judgment of the circuit court for Kenosha County:
DAVID M. BASTIANELLI, Judge. *Affirmed.*

¶1 GUNDRUM, J.¹ Latasha Lang appeals pro se from an amended judgment of the circuit court dismissing her small claims action following a court

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(a) (2011-12). All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

trial and awarding costs against her. The issues Lang appears to be raising on appeal are titled “escrow,” “water bill,” and “retaliation.” She asks that we “honor the \$10,000.00 [that she requests in her small claims complaint] for water bill, escrow, and pain and suffering.” Because Lang fails to adequately develop any issues or legal arguments, we affirm the judgment.

¶2 Lang initiated this action in small claims court seeking money related to “water bill,” “escrow,” and pain and suffering, following her removal from her housing. A court trial was eventually held on her complaint, resulting in dismissal of the action and an awarding of costs against Lang in the amount of \$363.04, including a \$300 attorney fee.

Discussion

¶3 Lang’s brief is inadequate and affords us no basis for reversing the circuit court. Pursuant to WIS. STAT. § 809.19(1)(e), an appellant’s

argument on each issue must be preceded by a one sentence summary of the argument and is to contain the contention of the appellant, the reasons therefor, with citations to the authorities, statutes and parts of the record relied on as set forth in the Uniform System of Citation and SCR 80.02.

Sec. 809.19(1)(e). An appellate court may decline to review issues that are insufficiently briefed. *State v. Pettit*, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992). Further, arguments that are unsupported by legal authority will not be considered. *Id.* An appellate judge cannot properly serve as both advocate and judge. *Id.* at 647. While some leniency may be afforded pro se appellants like Lang, we have no duty to walk litigants through the appropriate procedures nor direct them to the proper substantive law. See *Wausara Cnty. v. Graf*, 166 Wis. 2d 442, 452, 480 N.W.2d 16 (1992). Pro se litigants are required to fulfill all

the procedural requirements and must satisfy the same standards as attorneys on appeal. *Id.*

¶4 Lang challenges the circuit court’s ruling following the court trial, yet she fails to provide a transcript of the trial. *See Butcher v. Ameritech Corp.*, 2007 WI App 5, ¶35, 298 Wis. 2d 468, 727 N.W.2d 546 (2006) (holding that it is the appellant’s responsibility to provide this court with a record that is sufficient to allow us to review the issues raised, including any necessary transcript). Because Lang has not provided us with a transcript, we must assume that every fact necessary to uphold the circuit court’s exercise of its discretion is supported by the record. *See State v. McAttee*, 2001 WI App 262, ¶5 n.1, 248 Wis. 2d 865, 637 N.W.2d 774 (“It is the appellant’s responsibility to ensure completion of the appellate record and ‘when an appellate record is incomplete in connection with an issue raised by the appellant, we must assume that the missing material supports the [circuit] court’s ruling.’” (citation omitted)). Lang makes numerous factual statements in her briefs which do not appear to be supported by the record in any way. In her brief-in-chief, she provides not a single citation to the record or any legal authorities. Even after Griffin points this out in his response brief, she still fails to cite the record or legal authorities in her reply brief.

¶5 Lang also fails to develop any arguments suggesting what errors may have been made during the court trial. Lang carries the burden on appeal. *See Seltrecht v. Bremer*, 214 Wis. 2d 110, 125, 571 N.W.2d 686 (Ct. App. 1997) (“[I]t is the burden of the appellant to demonstrate that the [circuit] court erred.”). She has failed to meet that burden because she has not developed any arguments justifying reversal of the judgment. Her ultimate assertion related to the circuit court appears to be that the court “did not let us go into discussion or argument on how all these situations came about.... [I]t sound[ed] like Judge Basti[a]nnelli said

I didn't have enough proof, but I had proof on everything I stated so that wasn't a fact." We cannot possibly conclude that the circuit court erred with regard to the trial without a transcript to inform us of what occurred at the trial.

¶6 Lang also asks that the "court fees" included on the judgment be reversed. Again, she provides us no legal basis for reversal.

By the Court.—Judgment affirmed.

This opinion will not be published. See WIS. STAT. RULE 809.23(1)(b)4.

