

**COURT OF APPEALS
DECISION
DATED AND FILED**

March 5, 2015

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. 2014AP1306

Cir. Ct. No. 2014CV861

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

CITY OF MADISON,

PLAINTIFF-RESPONDENT,

V.

RAY A. PETERSON,

DEFENDANT-APPELLANT.

APPEAL from an order of the circuit court for Dane County:
WILLIAM E. HANRAHAN, Judge. *Affirmed.*

¶1 LUNDSTEN, J.¹ Ray Peterson, pro se, appeals the circuit court's order that had the effect of upholding forfeitures imposed on Peterson in municipal court for multiple violations of the City of Madison housing code. I affirm.

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(b) (2013-14).

¶2 While this court may make allowances for pro se litigants, Peterson's appellate briefing is grossly inadequate by any standard. His brief consists of an incoherent, one-page table of contents and an equally incoherent four-page argument section. In addition, Peterson plainly has actual knowledge of our briefing requirements under the appellate rules of procedure. In two prior appeals, the court advised Peterson of those requirements after Peterson submitted briefing that we characterized as "highly inadequate in multiple respects." *See Peterson v. Stevens*, No. 2013AP709, unpublished slip op. ¶12 (WI App Oct. 24, 2013); *City of Madison v. Peterson*, No. 2013AP893, unpublished slip op. ¶7 (WI App Sept. 5, 2013).

¶3 I could, as the City of Madison requests, strike Peterson's brief. Instead, however, I simply decline to address Peterson's arguments as insufficiently developed, and I affirm on that basis. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (court of appeals need not address inadequately developed arguments that fail to conform to briefing requirements).

¶4 If I were to attempt to address Peterson's arguments, I would be hard pressed to say what they are. Peterson may mean to argue (1) that the City selectively prosecuted him and (2) that the City deceptively inserted an objectionable provision in a settlement or plea agreement. As far as I can tell from the City's responsive brief and the record, neither of these arguments has any merit whatsoever.² Moreover, Peterson failed to file a reply brief, thus conceding

² I commend the City for taking the time to attempt to decipher Peterson's arguments and respond to them.

the City's responsive arguments. *See United Coop. v. Frontier FS Coop.*, 2007 WI App 197, ¶39, 304 Wis. 2d 750, 738 N.W.2d 578 (appellant's failure to respond in reply brief to an argument made in respondent's brief may be taken as a concession). Peterson's concession is a second, independent basis on which I affirm.

¶5 For the reasons above, the circuit court's order is affirmed.

By the Court.—Order affirmed.

This opinion will not be published. WIS. STAT. RULE 809.23(1)(b)4.
(2013-14).

