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DISTRICT IV

November 20, 2025

To:

Hon. Richard A. Radcliffe
Circuit Court Judge
Electronic Notice

Ellen M. Thorn
P.O. Box 349
Sparta, WI 54656-0349

Laura Endres
Clerk of Circuit Court
Monroe County Courthouse
Electronic Notice

John Field

You are hereby notified that the Court has entered the following opinion and order:

2025AP1129

Petitioner v. John Field (L.C. # 2021CV85)

Before Kloppenburg, Nashold, and Taylor, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

John Field appeals circuit court orders extending a domestic abuse injunction, denying return of his firearms, and denying his motion for reconsideration. No respondent's brief has been filed, and we ordered that this appeal be submitted for review based solely on Field's brief and the record. Based on our review of Field's brief and the record, we conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1) (2023-24).¹ We reverse and remand for further proceedings consistent with this opinion.

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

Petitioner filed a petition for a temporary restraining order and domestic abuse injunction in April 2021, pursuant to WIS. STAT. § 813.12, seeking protection from Field. The circuit court issued an order granting Petitioner's request for a temporary restraining order and scheduled a hearing on the petition for an injunction. At the hearing on May 7, 2021, the court orally granted the domestic abuse injunction. A written injunction with a firearms restriction was issued later that day; the injunction stated that it was effective for one year, until May 7, 2022. The court also issued an order to surrender firearms, and Field surrendered his six firearms to the Monroe County Sheriff's Office. In April 2022, Petitioner filed a petition to extend the injunction and firearms restriction for three years, until May 7, 2025, pursuant to § 813.12(4)(c)2. The court granted the petition, extending the injunction until May 7, 2025.

In April 2025, Petitioner filed a second petition to extend the injunction and firearms restriction pursuant to WIS. STAT. § 813.12(4)(c)2. The circuit court entered an order extending the injunction for one year, until May 7, 2026.

In a letter to the circuit court, Field argued that the second extension of the injunction, to May 7, 2026, exceeds the maximum duration for an injunction under WIS. STAT. § 813.12(4)(c). The court responded in a letter, explaining that, based on its interpretation of the statute, a court may extend a domestic abuse injunction for up to four years from the date of the expiration of the original injunction. Accordingly, because the original one-year injunction here expired on May 7, 2022, the court concluded that the statute authorized it to extend the injunction another four years until May 7, 2026. On May 12, 2025, Field filed a motion for reconsideration on the basis articulated in his letter, and on May 19, 2025, he filed a petition for return of his firearms on the ground that the injunction had expired on May 7, 2025. On May 20, 2025, the court

denied Field’s motion for reconsideration and the petition to return his firearms on the basis that the injunction was properly extended under § 813.12(4)(c)2. until May 7, 2026.

On appeal, Field argues that the circuit court interpreted WIS. STAT. § 813.12(4)(c)2. incorrectly to allow for the extension of a domestic abuse injunction more than four years after the date that the original injunction was issued, and that the statute correctly interpreted authorizes a court to extend a domestic abuse injunction for no more than four years after the date that the original injunction was issued. Because the original injunction here was issued on May 7, 2021, Field’s argument continues, the court lacked authority to extend the injunction beyond May 7, 2025.

The interpretation and application of a statute are matters of law that this court decides de novo. *Meyers v. Bayer AG*, 2007 WI 99, ¶22, 303 Wis. 2d 295, 735 N.W.2d 448. When interpreting a statute, we begin with its language, giving the statutory language “its common, ordinary, and accepted meaning.” *State ex rel. Kalal v. Circuit Ct. for Dane Cnty.*, 2004 WI 58, ¶45, 271 Wis. 2d 633, 681 N.W.2d 110. We are also guided by statutory context and previous cases construing the statutory language. *Meyers*, 303 Wis. 2d 295, ¶23. If this plain language approach to the analysis of the statutory language yields a “clear statutory meaning, then there is no ambiguity, and the statute is applied according to this ascertainment of its meaning.” *Kalal*, 271 Wis. 2d 633, ¶46 (quoted source omitted).

WISCONSIN STAT. § 813.12(4)(c)2. provides that, upon expiration of a domestic abuse injunction, the circuit court “shall extend the injunction if the petitioner states that an extension is necessary to protect him or her. This extension shall remain in effect until 4 years after the date the court first entered the injunction,” with an exception not relevant here. This case turns on the

meaning of the phrase “the date the court first entered the injunction.” This phrase uses “common words with known meanings” that require no particular definition. *See State v. Salinas*, 2016 WI 44, ¶45, 369 Wis. 2d 9, 879 N.W.2d 609 (referring to phrase “common scheme or plan” in WIS. STAT. § 971.12(1)).

By its terms, “first entered the injunction” refers to the entry of the original injunction, before any extension of that injunction, and “the date the court first entered the injunction” refers to the date that the circuit court entered the original injunction. *See Switzer v. Switzer*, 2006 WI App 10, ¶14, 289 Wis. 2d 83, 709 N.W.2d 871 (explaining that “if the initial injunction [under WIS. STAT. § 813.12] was for less than four years, but expired, and a petitioner states that an extension is necessary to protect [the petitioner], the court *shall* extend the injunction for up to four years from the date the injunction was first granted”); *id.*, ¶17 (original injunction was entered on February 13, 2004, so “the injunction could be extended to February 13, 2008”).

This interpretation is bolstered by WIS. STAT. § 813.12(4)(c)1., which states that a domestic abuse injunction under § 813.12 is effective for “not more than 4 years,” with an exception not relevant here. Pursuant to this statutory scheme, a domestic abuse injunction under § 813.12 may only be effective for a maximum of four years, regardless of whether the original injunction was less than or equal to four years. *See Switzer*, 289 Wis. 2d 83, ¶15 (explaining that if circumstances at the time of the original injunction do not warrant a four-year injunction, but those circumstances later change, the petitioner may “obtain an injunction for up to the duration they were *initially* entitled to receive” (emphasis added)).

Here, the circuit court first entered the original injunction on May 7, 2021. According to a plain language interpretation of WIS. STAT. § 813.12(4)(c)2., that injunction could not be

extended beyond four years after that date, or May 7, 2025. Because the court's orders extending the injunction beyond May 7, 2025, and denying Field's petition for return of his firearms on the ground that the injunction had not yet expired, are based on an incorrect interpretation of the statute, we conclude that the orders must be reversed.² We remand for further proceedings consistent with this opinion.³

Therefore,

IT IS ORDERED that the orders appealed from are summarily reversed under WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals

² We observe that, in order to obtain the return of firearms that were surrendered pursuant to a domestic abuse injunction, the petitioner must satisfy several conditions in addition to that the injunction has expired. In this opinion we conclude only that the condition that the injunction has expired has been satisfied and do not address the other required conditions.

³ This opinion does not address, and takes no position on, whether Petitioner would be entitled to a new injunction should Petitioner file a new petition.