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DISTRICT IV

August 27, 2026

To:

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

2024AP2027

Leonard Pozner v. James Fetzer (L.C. # 2018CV3122)

Before Graham, P.J., Blanchard, and Kloppenburg, 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).

James Fetzer, pro se, appeals a circuit court order that imposed sanctions against him. Based on our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).¹ We summarily affirm.

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

In June 2019, the circuit court granted summary judgment to Leonard Pozner on Pozner's defamation claim against Fetzter for Fetzter's false statements relating to the death of Pozner's son and the Sandy Hook Elementary School shooting. A jury awarded Pozner \$450,000 in damages. The court awarded Pozner an additional \$650,000 in attorney fees.

On June 20, 2024, Pozner moved for sanctions against Fetzter for repeatedly publishing unredacted images of Pozner's son's passport by filing it in the circuit court. On October 4, 2024, the circuit court entered an order imposing sanctions against Fetzter under WIS. STAT. § 802.05(2)(a) and (3). The court determined that Fetzter filed the unredacted passport for the improper purpose of harassing Pozner. See § 802.05(2)(a). The court determined that monetary sanctions would be ineffective. Therefore, as a sanction, the court ordered that, going forward, Fetzter is prohibited from filing any papers in the circuit court related to Pozner, his family, Sandy Hook Elementary School, or any claimed conspiracy related to Sandy Hook Elementary School, without prior written approval of a judge or the signature of a lawyer licensed to practice law in Wisconsin. Fetzter appeals.²

² Pozner argues that this court lacks jurisdiction over this appeal from the October 4, 2024 order imposing sanctions. Pozner asserts that Fetzter cannot appeal as of right from the order imposing sanctions because Fetzter already appealed an order as of right from the circuit court judgment and orders that resolved the merits of this case, which we affirmed on March 18, 2021. He asserts that a postjudgment order is appealable as a matter of right only if it transfers title to property, citing **Orlando Residence, Ltd. v. Nelson**, 2013 WI App 81, 348 Wis. 2d 565, 834 N.W.2d 416. Pozner is wrong.

In **Orlando**, we addressed whether postjudgment proceedings in aid of execution of a judgment involved only one final order or a series of final orders from which an appeal as a matter of right could be taken. **Id.**, ¶6. We determined that, in assessing the finality of postjudgment orders entered in aid of execution, the issue was whether the orders resulted in the immediate transfer of title to property. **Id.**, ¶14. However, **Orlando** does not stand for the broad proposition that postjudgment orders are never appealable as a matter of right unless they transfer title to property.

Here, the sanctions order was entered in a special proceeding conducted pursuant to WIS. STAT. § 802.05(3). Whether sanctions should be imposed was the sole matter in litigation in the proceeding,
(continued)

Under WIS. STAT. § 802.05(2)(a) and (3), a circuit court may impose sanctions against a person who submits documents to the court for the purpose of harassment. We review the circuit court’s decision to impose sanctions and the appropriateness of the sanctions ordered under an erroneous exercise of discretion standard. **Schultz v. Sykes**, 2001 WI App 255, ¶8, 248 Wis. 2d 746, 638 N.W.2d 604.

Here, the circuit court determined that Fetzer submitted to the circuit court a copy of the child’s unredacted passport for the purpose of harassing Pozner. The court found that—setting aside the dubious reasons for submitting the passport at all—the only reason that Fetzer filed the passport *without first redacting the passport number* was for the purpose of harassment. The court explained that publishing the unredacted passport was contrary to both WIS. STAT. § 801.19(1)(a), which provides that a passport number is “[p]rotected information” not to be disclosed in the public record, and a prior order of the court directing Fetzer to stop disclosing the child’s protected passport information. For these reasons, the court determined that there was no reason for Fetzer to publish the unredacted passport other than to harass Pozner.

Fetzer devotes the majority of his brief to attempts to raise issues about prior circuit court proceedings in this matter. However, the issue in this appeal is limited. It is whether the circuit court erroneously exercised its discretion by imposing sanctions against Fetzer under WIS. STAT. § 802.05(3) for filing the unredacted image of Pozner’s son’s passport. Fetzer’s assertions that are not related to the sanctions order are not relevant to this appeal, and accordingly we do not

and the sanctions order disposed of that matter. See **State v. Heyer**, 174 Wis. 2d 164, 168, 496 N.W.2d 779 (Ct. App. 1993). The order is analogous to a civil contempt order, another avenue for imposing sanctions, which “traditionally has been held to be a final order in a special proceeding.” See **id.** at 168 n.2. Therefore, we conclude that we have jurisdiction over this appeal.

address them. We limit our discussion to Fetzer's arguments related to the sanctions order, as best we understand those arguments.

Fetzer does not develop any argument challenging the nature of the sanctions.³ Instead, he argues that no sanctions of any kind should have been imposed. More specifically, Fetzer contends that he filed the passport in the circuit court to establish that the passport is fake, which he argues is demonstrated by the passport photograph. And, he contends, because the passport is fake, therefore the number it bears is not protected information under WIS. STAT. § 801.19(1). His bottom line appears to be that if the number is not protected information, then no harassing motive could be attributed to him.

We reject this argument for at least the following reason. Fetzer provides no reason for us to conclude that the circuit court should have determined that the passport is fake. He merely asserts that the passport photograph demonstrates that it is fake and cites his own exhibits to his prior unsuccessful motion to reopen the judgment. And he fails to develop an argument that he had any purpose in filing the *unredacted* passport other than to harass Pozner. In sum, Fetzer fails to show that the circuit court erroneously exercised its discretion by determining that sanctions are warranted under WIS. STAT. § 802.05(3).

³ In his statement of the issues, Fetzer asserts that one of the issues on appeal is whether the terms of the sanctions denied him his right to self-representation. However, Fetzer does not include any argument on that topic in the discussion section of his brief. Because Fetzer does not develop any argument that the nature of the sanctions imposed was an erroneous exercise of discretion under WIS. STAT. § 802.05(3)(b), we do not address this topic further.

Therefore,

IT IS ORDERED that the order is summarily affirmed pursuant to WIS. STAT.
RULE 809.21.

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

Samuel A. Christensen
Clerk of Court of Appeals