



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

TTY: (800) 947-3529

Facsimile (608) 267-0640

Web Site: www.wicourts.gov

DISTRICT IV

October 1, 2026

To:

Hon. Jeffrey S. Kuglitsch
Circuit Court Judge
Electronic Notice

Alexander David Goulart
Electronic Notice

Amanda Nelson
Clerk of Circuit Court
Rock County Courthouse
Electronic Notice

Marilyn M. Sloniker
972 E. Philhower Road
Beloit, WI 53511

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

2025AP1523

State of Wisconsin v. Marilyn M. Sloniker (L.C. # 2023CM828)

Before Graham, P.J.¹

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).

In this appeal, Marilyn Sloniker challenges a judgment adjudicating her guilty of violating a Rock County ordinance, and she also appears to challenge a postjudgment order that denied her motion to withdraw her no-contest plea to that violation. Having reviewed the briefs and record, I conclude that this case is appropriate for summary disposition. WIS. STAT. RULE 809.21. I dismiss the appeal as to the judgment due to lack of appellate jurisdiction, and I affirm the postjudgment order.

¹ This appeal is decided by one judge pursuant to WIS. STAT. §752.31(2)(g) (2023-24). All references to the Wisconsin Statutes are to the 2023-24 version.

The State filed a complaint that charged Sloniker with two criminal misdemeanors: intimidation of a victim contrary to WIS. STAT. § 940.44(2); and resisting an officer contrary to WIS. STAT. § 946.41(1). At the scheduled pretrial hearing on April 4, 2025, the State made a plea offer that, if accepted, would result in Sloniker being adjudicated guilty of one ordinance violation and no criminal charges. Specifically, the State offered to amend one of the misdemeanors to a noncriminal charge of disorderly conduct under ROCK COUNTY, WIS., CODE OF ORDINANCES, ch. 3, § 201,² and to dismiss the other misdemeanor count. Sloniker discussed the offer with her attorney and agreed to plead no contest to the ordinance violation.

At the close of the April 4, 2025 hearing, the circuit court accepted Sloniker's plea and imposed the agreed-upon fine of \$50. It entered a judgment adjudicating her guilty of the noncriminal ordinance violation four days later on April 8.

Shortly thereafter, Sloniker, who continued to be represented by counsel, filed a motion that was captioned "Motion to Withdraw Plea." Along with the motion, Sloniker submitted an affidavit in which she averred that she had been "ill and not in the right state of mind" when she accepted the State's offer, and that she "d[id] not feel that [she] had sufficient time to make an informed decision due to [her] deficient condition." She also averred that she had been "emotional" and "under extreme pressure" and "duress" due to "other pending legal matters" and "the possibility of losing [her] properties," and that she was "unable to clearly understand the legal ramifications of accepting the offer and pleading no contest to a Rock County ordinance

² This reference to the ROCK COUNTY, WIS., CODE OF ORDINANCES is to the online register <https://www.co.rock.wi.us/departments/corporation-counsel/code-of-ordinances> (last visited Sept. 24, 2026).

violation for disorderly conduct.” The legal argument advanced in Sloniker’s motion for plea withdrawal was based on the standard for withdrawing a plea prior to the imposition of sentence, rather than the “manifest injustice” standard that applies after sentence is imposed in a criminal case. See *State v. Dillard*, 2014 WI 123, ¶36, 358 Wis. 2d 543, 859 N.W.2d 44.

At a hearing, the parties discussed whether Sloniker’s motion should be treated as one to withdraw a plea in a criminal matter or one to reopen a judgment for a civil ordinance violation. The circuit court determined that it would deny the motion, regardless of whether the civil or criminal standard applied. “[O]n the civil side,” the court explained, “there’s no proper basis here to reopen [the case],” and “[e]ven looking at it on the criminal side,” the court could not see “how there’s a manifest injustice here.” At most, the court explained, the motion established that Sloniker “might have had cold feet” after the matter concluded, but that was not “a proper basis” to reopen the case or allow plea withdrawal. The court denied the motion.

In her appellate brief, filed pro se, Sloniker raises a number of arguments about the process that led to the entry of the judgment of conviction.³ However, it does not appear that this court has appellate jurisdiction over that judgment.

³ More specifically, Sloniker takes issue with the circumstances of her arrest, the police investigation, and the circuit court proceedings that resulted in the entry of the judgment. She argues that the judgment must be reversed because, she asserts: she was denied her constitutional right to a trial and to confront witnesses against her; police allegedly used excessive force and denied her medical accommodations; the evidence against her was allegedly obtained through improperly leading witnesses and through involuntary statements made after a failure to give *Miranda* warnings, see *Miranda v. Arizona*, 384 U.S. 436 (1966); the judge was biased against her; the Town of Beloit engaged in retaliatory conduct against her; the court disregarded documents that Sloniker filed with the court at a time when she was not represented by counsel, including a “Legal Notice and Demand” and a “Hold Harmless Agreement” in which Sloniker is identified as the “trustee/secured party” and the “Marilyn May Sloniker Trust” is represented as the “debtor”; and the court allegedly failed to make accommodations in response

(continued)

As this court explained in an order dated October 29, 2025 (the “jurisdictional order”), we have an independent duty to determine our own jurisdiction over filed appeals. See *Carla B. v. Timothy N.*, 228 Wis. 2d 695, 698, 598 N.W.2d 924 (Ct. App. 1999). The jurisdictional order questioned whether Sloniker’s appeal was timely as to the judgment, and directed the parties to address this jurisdictional issue as the first issue in their appellate briefs. However, Sloniker does not mention the jurisdictional issue in her appellate brief. I take the failure to address this issue as a concession that the jurisdictional order’s analysis of the April 4, 2025 judgment is correct.⁴ I conclude that this court lacks appellate jurisdiction over that judgment. I dismiss the appeal as to the judgment, and I do not address any of Sloniker’s arguments that are listed in footnote 3 of this decision.

I now turn to the circuit court’s June 6, 2025 order, which denied Sloniker’s “Motion to Withdraw Plea.” As we indicated in our jurisdictional order, it appears that Sloniker’s notice of appeal was timely as to that order, and the State did not file a response brief disputing that conclusion. For the reasons stated in the jurisdictional order, I conclude that this court has appellate jurisdiction to review the June 6 order.

to a disability accommodation request that she allegedly filed (but does not seem to be part of the record on appeal).

⁴ As the jurisdictional order explained, a violation of a county ordinance is a civil matter rather than a criminal matter, and in a civil matter in which no notice of entry of judgment is given, a notice of appeal must be filed within 90 days of the entry of judgment. That deadline cannot be extended. The order further explained that under WIS. STAT. § 808.03(1)(d), which pertains to ordinance violation cases, the circuit court docket entry constitutes the appealable document and triggers the appeal period. But whether measured from the docket entry as § 808.03(1)(d) requires or from the written judgment, the notice of appeal was not filed within 90 days, and is therefore not timely as to the judgment.

That said, Sloniker’s brief does not squarely address the content of the circuit court’s June 6 order. Accordingly, Sloniker does not show that the court erred when it determined that there was nothing in the allegations and averments that were part of the “Motion to Withdraw Plea” that would entitle Sloniker to reopen the case or withdraw her plea.

Sloniker does appear to be making two arguments about the process that resulted in the June 6 order. This court has appellate jurisdiction to consider those arguments, and I address them as I best understand them.

Sloniker argues that the circuit court improperly “silence[d]” her and did not allow her to speak at the postjudgment hearing. But that hearing was not a trial at which a criminal defendant has a constitutional right to testify. See **Rock v. Arkansas**, 483 U.S. 44 (1987); WIS. CONST. art. I, § 7. Sloniker does not cite any authority that would support the premise that the court was required to allow Sloniker, who was represented by counsel at the hearing, to make her own independent statements or argument.

Sloniker may also be asserting that she was entitled to withdraw her plea on grounds that “[n]o valid [jury trial] waiver was entered” and her attorney was ineffective. But Sloniker did not raise those issues in the “Motion for Plea Withdrawal” that she filed in the circuit court. This court generally does not consider arguments raised for the first time on appeal. **Gibson v. Overnite Transp. Co.**, 2003 WI App 210, ¶9, 267 Wis. 2d 429, 671 N.W.2d 388.

Accordingly, to the extent that this court has appellate jurisdiction to review Sloniker’s arguments, I reject them.

IT IS ORDERED that the appeal of the circuit court's April 4, 2025 judgment is dismissed for lack of appellate jurisdiction.

IT IS FURTHER ORDERED that the circuit court's June 6, 2025 order is summarily affirmed. *See* 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