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DISTRICT II

October 21, 2026

To:

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Circuit Court Judge
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Clerk of Circuit Court
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You are hereby notified that the Court has entered the following opinion and order:

2025AP1795

State of Wisconsin v. Markola I. Williams (L.C. #2020PA78PJ)

Before Gundrum, Grogan, and LoCoco, 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).

Markola I. Williams, pro se, appeals from a circuit court order granting Andrea R. Everett's motion to reinstate child support, denying Williams' motion to deny child support, and ordering Williams to pay child support in this paternity action. Based upon 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 affirm.

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

In his appellate briefing, Williams raises numerous claims of error by the circuit court, including: (1) the court “modif[ied] support without alleging or proving a substantial change in circumstances”; (2) the court modified support without financial disclosure statements from the parties, in violation of WIS. STAT. § 767.127; (3) “the court relied on an unproven claim of state assistance without verifying it”; (4) the court accepted a motion to modify child support that did not contain any allegations but attached a prior motion as an exhibit; (5) the court “modif[ied] support within three years [of a prior modification] without a showing of change”; and (6) judicial bias and “procedural shortcutting.” (Formatting altered.) Right out of the gate, we must affirm the circuit court, as it is an appellant’s burden to show that the circuit court erred, *see Gaethke v. Pozder*, 2017 WI App 38, ¶36, 376 Wis. 2d 448, 899 N.W.2d 381, and Williams fails to come close to meeting that burden.

Here, Williams’ brief-in-chief lacks anything approaching developed arguments as to how the circuit court may have erred. While his reply brief is more robust, an appellant cannot “lie in wait” by filing a meager brief-in-chief only to beef up his position in his reply brief, when the respondent has no opportunity to respond to the new arguments the appellant raises. *See Northern States Power Co. v. National Gas Co.*, 2000 WI App 30, ¶21 n.6, 232 Wis. 2d 541, 606 N.W.2d 613 (“[W]e [do not] consider arguments made for the first time in a reply brief to which the respondent does not have the opportunity to respond.”). We do not consider undeveloped arguments in the first instance. *Clean Wis., Inc. v. PSC*, 2005 WI 93, ¶180 n.40, 282 Wis. 2d 250, 700 N.W.2d 768. But, even more fundamental than that, Williams cannot show that the circuit court erred without developing legal arguments to that effect, and “we will

not abandon our neutrality to develop arguments” for a party. See *Industrial Risk Insurers v. American Eng’g Testing, Inc.*, 2009 WI App 62, ¶25, 318 Wis. 2d 148, 769 N.W.2d 82.²

Williams appeals from an order entered by the circuit court on August 6, 2025, ordering him to pay child support. That order references and follows from a hearing before the court on July 15, 2025. Critically, the record contains no transcripts of any proceedings before the circuit court since 2024. While Williams indicates in his statement on transcript that “[a] transcript is not necessary for prosecution of this appeal,” he is incorrect.

Williams’ appeal turns on whether the circuit court erroneously exercised its discretion when it modified child support. See *Ladwig v. Ladwig*, 2010 WI App 78, ¶15, 325 Wis. 2d 497, 785 N.W.2d 664 (“[C]hild support determinations are entrusted to the circuit court and are not disturbed on review unless there has been an erroneous exercise of discretion. We will uphold the circuit court’s discretionary decision if the court ‘examined the relevant facts, applied a proper standard of law, and, using a demonstrated rational process, reached a conclusion that a reasonable judge could reach.’” (citations omitted)). The court’s August 6, 2025 order itself does not include the court’s reasoning for the modification. As a result, it is essential that we have the transcript of the July 15, 2025 hearing to determine if the circuit court erroneously

² We further note that in violation of WIS. STAT. RULE 809.19(1)(d) and (e), Williams fails to cite to the record in support of the vast majority of the facts included in his statement of facts and relied on to support his arguments. See *Useni v. Boudron*, 2003 WI App 98, ¶1 n.2, 264 Wis. 2d 783, 662 N.W.2d 672 (“An appellate court is improperly burdened where briefs fail to consistently and accurately cite to the record.”); *Madely v. RadioShack Corp.*, 2007 WI App 244, ¶14 n.7, 306 Wis. 2d 312, 742 N.W.2d 559 (stating that “we have no duty to scour the record to review arguments unaccompanied by adequate record citations”). Although Williams is representing himself in this appeal, his briefs must still comply with the appellate rules. See *Waushara County v. Graf*, 166 Wis. 2d 442, 452, 480 N.W.2d 16 (1992) (“The right to self-representation is ‘[not] a license not to comply with relevant rules of procedural and substantive law.’” (alteration in original; citation omitted)).

exercised its discretion. By failing to include the transcript, Williams simply cannot meet his burden to show us that the court so erred. “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.’” *State v. McAttee*, 2001 WI App 262, ¶5 n.1, 248 Wis. 2d 865, 637 N.W.2d 774 (citation omitted). See *Pozder*, 376 Wis. 2d 448, ¶36 (“[An appellant is] unable to demonstrate the circuit court erroneously exercised its discretion where the court’s reasons for exercising its discretion as it did are not included in the record.”); see also *Jocius v. Jocius*, 218 Wis. 2d 103, 119, 580 N.W.2d 708 (Ct. App. 1998) (declining to address whether the court erred in denying appellant physical placement rights “because in order to determine whether the [circuit] court erroneously exercised its discretion with respect to this issue, we must be able to examine a full transcript of the proceedings. [Appellant], however, has failed to provide us with the transcript”).

Therefore,

IT IS ORDERED that the order of the circuit court 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