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DISTRICT II

October 21, 2026

To:

Hon. Ryan J. Hetzel
Circuit Court Judge
Electronic Notice

Sherry Coykendall
Clerk of Circuit Court
Washington County Courthouse
Electronic Notice

Christine A. Remington
Electronic Notice

Ryan R. Turk #701598
Racine Correctional Institution
2019 Wisconsin St.
Sturtevant, WI 53177-1829

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

2025AP2029 State of Wisconsin v. Ryan R. Turk (L.C. #2020CF59)

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).

Ryan R. Turk, pro se, appeals from an order denying his postconviction motion alleging ineffective assistance. He believes the circuit court erred in denying his motion without holding a ***Machner***[1] hearing. He requests that we vacate his sentence, and grant "any other relief" we deem appropriate. Based upon our review of the briefs and Record, we conclude at conference

[1] ***State v. Machner***, 92 Wis. 2d 797, 285 N.W.2d 905 (Ct. App. 1979).

that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).[2] We affirm.

The State charged Turk with one count of first-degree child sexual assault, contrary to WIS. STAT. § 948.02(1)(e), and WIS. STAT. § 939.50(3)(b).[3] A jury found Turk guilty. In Turk's direct appeal from the judgment, he argued: (1) the circuit court erroneously exercised its discretion when it admitted a TikTok video, and (2) the evidence was insufficient to support his conviction. ***State v. Turk***, No. 2022AP1372-CR, unpublished slip. op., ¶1 (WI App Oct. 11, 2023). We rejected both arguments. ***Id.***, ¶¶12-15.

In June 2025, Turk filed, pro se, a WIS. STAT. § 974.06 postconviction motion requesting a new trial or alternatively that the court hold a ***Machner*** hearing to determine "the extent of post-conviction and tr[ia]l counsel's ineffectiveness." Specifically, Turk argued that trial counsel failed to: (1) strike a juror for bias, (2) object to closing arguments, and (3) call a sexual assault expert to examine the victim for wounds, scars, or other physical evidence. He then argued that postconviction counsel failed to challenge these instances of ineffectiveness on appeal.

The circuit court denied Turk's motion. Regarding trial counsel's failure to strike the juror for bias, the court found no evidence of juror bias. Regarding trial counsel's failure to object during closing arguments, the court found that Turk failed to properly articulate what

[2] All references to the Wisconsin Statutes are to the 2023-24 version.

[3] The State also charged Turk with one count of incest, contrary to WIS. STAT. § 944.06, and WIS. STAT. § 939.50(3)(f). The jury found him guilty on this count, but he did not challenge the incest conviction in his direct appeal.

statements he believed were inflammatory or prejudicial. Regarding whether trial counsel was ineffective for not hiring an expert to examine the victim, the court said a physical examination conducted in 2020 when the sexual assault occurred between 2013 and 2018 would have been meaningless. As a result, the court concluded Turk failed to demonstrate his trial counsel was ineffective. It held that if Turk could not prove trial counsel ineffectiveness, it logically followed he could not prove postconviction counsel ineffectiveness. Turk appeals this order.

Turk's briefing is inadequate and undeveloped. The argument section of his brief-in-chief is a single page. Although he cites two cases there—***Strickland v. Washington***, 466 U.S. 668 (1984), and ***McMann v. Richardson***, 397 U.S. 759 (1970)—he fails to explain how either case applies to his claims of error.[4] WISCONSIN STAT. RULE 809.19(1)(e) requires that "[an]

[4] Turk also cites the Sixth and Fourteenth Amendments of the United States Constitution and argues postconviction counsel violated Turk's rights under these Amendments. The Sixth Amendment reads:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

U.S. CONST. amend. VI. The Fourteenth Amendment, in part, reads:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

U.S. CONST. amend. XIV, §1. Although Turk claims his postconviction counsel violated these rights, he does not explain *how* these rights were violated. He fails to indicate how these provisions support his position. Turk needs to do more than make a general statement and then cite to a constitutional provision. Because Turk did not properly develop this argument, we will not address it. ***Clean Wis., Inc. v. PSC***, 2005 WI 93, ¶180 n.40, 282 Wis. 2d 250, 700 N.W.2d 768.

argument on each issue must be preceded by a one sentence summary of the argument and is to contain the contention of the appellant, the *reasons* therefor, with citations to the authorities [and] statutes[.]" (Emphasis added.) Turk fails to give *any* reasons at all as to how these cases support his claims of ineffective assistance.

We do not address undeveloped and inadequately briefed arguments. ***Clean Wis., Inc. v. PSC***, 2005 WI 93, ¶180 n.40, 282 Wis. 2d 250, 700 N.W.2d 768; ***State v. Pettit***, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992) ("We may decline to review issues inadequately briefed."). We also do not consider "[a]rguments unsupported by legal authority[.]" ***Industrial Risk Insurers v. American Eng'g Testing, Inc.***, 2009 WI App 62, ¶25, 318 Wis. 2d 148, 769 N.W.2d 82. We will not abandon our neutrality to try and develop his arguments for him and therefore will not consider his arguments. *See* ***id.*** While we recognize that Turk is pro se, he must still abide by the same rules as attorneys. *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)).

Turk also did not file a Reply brief as required by WIS. STAT. RULE 809.19(4)(a) ("The appellant shall file a reply brief, or a statement that a reply brief will not be filed[.]"). An appellant concedes arguments made by the Respondent when it fails to file a reply brief. ***Apple Hill Farms Dev., LLP v. Price***, 2012 WI App 69, ¶14, 342 Wis. 2d 162, 816 N.W.2d 914 (holding that a party conceded a matter by not filing a reply brief). Here, the State argued that: (1) Turk is procedurally barred under ***Escalona-Naranjo***,[5] and (2) in the alternative, that the

[5] ***State v. Escalona-Naranjo***, 185 Wis. 2d 168, 517 N.W.2d 157 (1994).

circuit court properly denied Turk's motion without a hearing because his claims were insufficiently pled and because he was not entitled to relief as a matter of law. Turk has conceded the State's arguments by not responding to them in a Reply brief.

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