

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

**March 2, 2006**

Cornelia G. Clark  
Clerk of Court of Appeals

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

**Appeal No. 2004AP2535**

**Cir. Ct. No. 2003CV1702**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT IV**

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**KENNETH CURRAN,**

**PLAINTIFF-APPELLANT,**

**v.**

**JAMES WARREN, DEPARTMENT OF JUSTICE AND  
PEGGY LAUTENSCHLAGER,**

**DEFENDANTS-RESPONDENTS.**

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APPEAL from a judgment of the circuit court for Dane County:  
DIANE M. NICKS, Judge. *Affirmed.*

Before Dykman, Vergeront and Deininger, JJ.

¶1 PER CURIAM. Kenneth Curran appeals from a judgment dismissing his open records mandamus action. We affirm.

¶2 Curran filed this suit by a complaint seeking mandamus relief under WIS. STAT. § 19.37(1) (2003-04).<sup>1</sup> The complaint described a number of open records requests that Curran had made. It alleged that some of them had not been responded to and that certain records were improperly withheld. The relief sought was a writ of mandamus directing the defendants to release the requested records. The circuit court decided the case on summary judgment and dismissed the complaint.

¶3 We may decline to review an issue inadequately briefed. *See State v. Pettit*, 171 Wis. 2d 627, 647, 492 N.W.2d 633 (Ct. App. 1992). Curran’s opening brief on appeal is inadequate to raise any issue. It does not provide a statement of facts that allows a reader unfamiliar with the case to obtain a clear understanding of any part of this case, and more specifically not of Curran’s mandamus petition and the circuit court’s decision. The argument section of the brief does not add to the reader’s understanding. In addition, the argument section does not provide any clear explanation of why Curran believes the circuit court’s decision was legally wrong, and it cites no legal authority of any kind to support such a conclusion.

¶4 The conclusion section of Curran’s brief is the clearest section. It is apparent that he wants a jury trial, the purpose of which “would be to obtain the release of records” and the “identity of the individual(s) responsible for the destruction of records.” Curran is entitled to the release of records only if additional records exist that have not already been released to him. The circuit

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2003-04 version unless otherwise noted.

court concluded that there was no factual dispute to suggest that additional records exist. Curran's brief does not provide us with any reason to believe that he showed to the circuit court a basis for concluding there is a factual dispute on that point. In addition, we see no basis to conclude that any issue about past destruction of records can be raised in a mandamus action under WIS. STAT. § 19.37.

*By the Court.*—Judgment affirmed.

This opinion will not be published. *See* WIS. STAT. RULE 809.23(1)(b)5.

