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**DISTRICT I**

September 9, 2025

To:

Hon. Reyna I. Morales  
Circuit Court Judge  
Electronic Notice

Tobias Brumfield  
5760 N. 99th Street  
Milwaukee, WI 53225

Anna Hodges  
Clerk of Circuit Court  
Milwaukee County Appeals Processing  
Division  
Electronic Notice

Prosperity Investment  
c/o Demetrius Johnson  
72122 N. Rolling Field Drive  
Mequon, WI 53097

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

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2024AP991

Prosperity Investment v. Tobias Brumfield (L.C. # 2023SC27891)

Before Colón, P.J.<sup>1</sup>

**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).**

Prosperity Investment, pro se by its agent Demetrius Johnson, appeals from a judgment of the circuit court in favor of Tobias Brumfield. Based upon our review of the brief and record, we conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1). For the following reasons, we reject Prosperity Investment's arguments and affirm.

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

According to Prosperity Investment’s complaint, it sought monetary damages from and the eviction of Brumfield due to his failure to pay rent. The circuit court docket entries<sup>2</sup> indicate that, at an eviction hearing on November 21, 2023, the court ordered Brumfield to timely vacate the property and if he did so then it would then dismiss the eviction. At a subsequent hearing on the monetary damages, Prosperity Investment failed to appear and its claims were dismissed. Prosperity Investment moved to reopen and Brumfield filed an answer and counterclaim. The court granted Prosperity Investment’s motion to reopen and held an evidentiary hearing on May 20, 2024. At the evidentiary hearing, the court granted judgment in favor of Brumfield in the amount of \$1,450.00. Prosperity Investment appeals.<sup>3</sup>

On appeal, Prosperity Investment asserts that the circuit court erred because it reached its decision as a result of the circuit court’s bias against Prosperity Investment. We reject Prosperity Investment’s arguments due to deficiencies in its appellate submissions.

Prosperity Investment did not make the May 20, 2024 evidentiary hearing transcript a part of the appellate record. “We are bound by the record as it comes to us.” *Fiumefreddo v.*

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<sup>2</sup> We take judicial notice of the circuit court docket entries contained in the Wisconsin’s Consolidated Court Automation Programs (“CCAP”) records. See *Kirk v. Credit Acceptance Corp.*, 2013 WI App 32, ¶5 n.1, 346 Wis. 2d 635, 829 N.W.2d 522 (recognizing that CCAP provides an “online website [that] reflects information entered by court staff”); WIS. STAT. § 902.01.

<sup>3</sup> Brumfield did not file a brief on appeal. See WIS. STAT. RULE 809.19(3). This court issued an order extending the deadline to file a brief and warning Brumfield that a failure to file a respondent’s brief tacitly concedes error and that summary reversal is a potential sanction for his failure to file a brief. See *State ex rel. Blackdeer v. Township of Levis*, 176 Wis. 2d 252, 260, 500 N.W.2d 339 (Ct. App. 1993) (citation omitted). After the extended deadline passed without a response, this court issued another order explaining that the matter would be considered without a respondent’s brief and if we determined that a respondent’s brief was necessary then Brumfield would face summary reversal unless other judicial interests would not be served by a reversal on procedural grounds. Based on Prosperity Investment’s brief and the record, we conclude that summary reversal is not an appropriate sanction for reasons including the deficiencies in Prosperity Investment’s submissions.

*McLean*, 174 Wis. 2d 10, 26, 496 N.W.2d 226 (Ct. App. 1993). “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.’” *Gaethke v. Pozder*, 2017 WI App 38, ¶36, 376 Wis. 2d 448, 899 N.W.2d 381 (citation omitted). Without the hearing transcript, Prosperity Investment cannot provide this court with a statement of facts with “appropriate references to the record,” and is unable to support its arguments with citations to the “parts of the record relied on[.]” *See* WIS. STAT. RULE 809.19(1)(d), (e).

Furthermore, Prosperity Investment references specific comments that were made during the evidentiary hearing that purport to prove that the circuit court showed bias against it and ignored evidence that supported Prosperity Investment’s position. However, without the hearing transcript in the record we cannot examine the proceedings. We must assume that the missing material supports the court’s ruling. *See Gaethke*, 376 Wis. 2d 448, ¶36. Thus, Prosperity Investment cannot meet its burden of demonstrating that the court erred.<sup>4</sup> *See id.* Accordingly, we summarily affirm.

Therefore,

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<sup>4</sup> Additionally, we note that Prosperity Investment’s arguments fail because they are undeveloped. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (explaining that this court does not address unsupported and undeveloped arguments).

IT IS ORDERED that the judgment is summarily affirmed. *See* WIS. STAT. RULE 809.21.

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

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*