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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](http://www.wicourts.gov)

**DISTRICT IV**

September 25, 2025

To:

Hon. Stephen E. Ehlke  
Circuit Court Judge  
Electronic Notice

Jeff Okazaki  
Clerk of Circuit Court  
Dane County Courthouse  
Electronic Notice

Stephanie L. Dykeman  
Electronic Notice

Richard F. Rice  
Electronic Notice

Shauna Alvanos  
Electronic Notice

Stephen Alvanos  
P.O. Box 930464  
Verona, WI 53593

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

2024AP1029

Shauna Alvanos v. Phil Kleiboer (L.C. # 2024CV257)

Before Kloppenburg, Nashold, and Taylor, 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).**

Shauna Alvanos and Stephen Alvanos appeal an order dismissing their complaint. Based on 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).<sup>1</sup> We affirm, find the appeal frivolous, and remand for a determination of the respondents' attorney fees.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2023-24 version.

The Alvanoses filed a complaint naming several defendants. Broadly described, the complaint asserts that the defendants conspired to commit theft of the Alvanoses' real property. As relief, the complaint seeks return of the legal title to the property to the Alvanoses, an injunction removing the current occupant, and monetary damages. The circuit court dismissed the complaint on the grounds that it failed to plead fraud with particularity, as is required by WIS. STAT. § 802.03(2), and that the claim was barred by issue preclusion.

On appeal, the Alvanoses' opening brief fails to provide any meaningful statement of facts that would allow this court to understand the claim being made. The brief also fails to develop any legal argument disputing the reasons for the circuit court's dismissal of the complaint.

This court need not consider arguments that are unsupported by adequate legal citations or are otherwise undeveloped. *State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992). While we make some allowances for the failings of parties who, as here, are not represented by counsel, "[w]e cannot serve as both advocate and judge," *id.* at 647, and will not scour the record to develop viable, fact-supported legal theories on the appellant's behalf. *State v. Jackson*, 229 Wis. 2d 328, 337, 600 N.W.2d 39 (Ct. App. 1999). Here, the appellants have failed to develop arguments legally or to support them factually. Therefore, we affirm the circuit court on that basis.

In separate motions, the respondents move for a finding that this appeal is frivolous, under WIS. STAT. RULE 809.25(3)(c)2., because the appellants knew, or should have known, that it was without any reasonable basis in law or equity, and could not be supported by a good faith argument for an extension, modification, or reversal of existing law. We find the appeal

frivolous on this ground, and award the respondents their costs, fees, and attorney fees. *See* RULE 809.25(3)(a).

In addition, the Alvanoses filed two motions in this court in August and September 2025, for “judicial relief” and to compel discovery. We deny the motions. Discovery does not occur in an appeal, and the request for judicial relief appears to relate to the issues underlying this appeal, but fails to show sufficient grounds for the relief requested.

IT IS ORDERED that the order appealed from is summarily affirmed under WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that the motions for judicial relief and discovery are denied.

IT IS FURTHER ORDERED that this appeal is found to be frivolous, and the respondents are awarded their costs, fees, and reasonable attorney fees. After remittitur, the circuit court shall determine the amount to be paid by the appellants.

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*