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**DISTRICT II**

October 22, 2025

*To:*

Hon. David W. Paulson  
Circuit Court Judge  
Electronic Notice

Mark Budzinski  
Electronic Notice

Amy Vanderhoef  
Clerk of Circuit Court  
Racine County Courthouse  
Electronic Notice

Katherine E. Cortesy  
Electronic Notice

Ryan Thomas Thornton  
Electronic Notice

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

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2024AP2182

Ryan Thomas Thornton v. Ascension All Saints Hospital  
(L.C. #2024CV457)

Before Neubauer, P.J., Grogan, and Lazar, 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 Thomas Thornton, personal representative of the Estate of Thomas Elmer Thornton, seeks review of a circuit court order dismissing his complaint, filed on behalf of the estate, for personal injuries allegedly caused by medical malpractice. The notice of appeal was also signed by Ryan Thomas Thornton and filed on behalf of the estate, although Thornton is not an attorney licensed to practice law in the State of Wisconsin. A nonlawyer personal representative of an estate may not represent the interests of the estate in a civil action or an appeal therefrom before a Wisconsin court. Accordingly, the notice of appeal was ineffective to initiate a valid appeal on behalf of the estate. 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).<sup>1</sup> For the following reasons, we dismiss the appeal.

In April 2024, Thornton, on behalf of the aforementioned estate, filed a complaint against Ascension All Saints Hospital and several physicians, asserting claims for negligence, medical malpractice, and wrongful death in connection with the medical care of Thornton’s father, Thomas. Thornton also filed a motion for abeyance so that he could retain legal counsel, and a motion to subpoena hospital records. The defendants thereafter filed a notice to dismiss Thornton’s complaint based on unauthorized practice of law. The defendants’ brief supporting that motion argued that, because Thornton is not licensed to practice law in Wisconsin, he is barred by Wisconsin law from representing the legal interests of Thomas Elmer Thornton’s estate and cannot therefore pursue any claims on its behalf.

The circuit court granted the defendants’ motion and dismissed the suit without prejudice, concluding that the pleadings were “a nullity because they are signed by Ryan Thomas Thornton and he has no authority to sign a pleading on behalf of the estate.” In doing so, the court also denied Thornton’s two pending motions but noted that they were denied “without prejudice” such that Thornton could pursue them after “the case [was] properly filed[.]” On October 24, 2024, Thornton filed a notice of appeal on behalf of the estate.

Our supreme court has held that failure to comply with the unauthorized practice of law statute affects the jurisdiction of the court of appeals. *Jadair Inc. v. United States Fire Ins. Co.*, 209 Wis. 2d 187, 212, 562 N.W.2d 401 (1997). In *Jadair*, a nonlawyer signed and filed a notice

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

of appeal on behalf of a corporation. *Id.* at 193. The court concluded that permitting a nonlawyer to sign and file a notice of appeal on behalf of a corporation would conflict with statutory prohibitions against the unauthorized practice of law. *Id.* at 204; *see also* WIS. STAT. § 757.30. Thus, “failure to comply with the unauthorized practice of law statute void[ed] the appeal.” *Jadair*, 209 Wis. 2d at 213.

In *Life Science Church, Bible Camp & Christian Liberty Academy v. Shawano County*, 221 Wis. 2d 331, 337, 585 N.W.2d 625 (Ct. App. 1998), this court, applying *Jadair*, held that trustees appearing without counsel in Wisconsin courts may only “represent their own legal interests in their individual capacities,” but may not represent the interests of their trusts or trust beneficiaries. *Id.* at 334. More recently, this court concluded that “[s]imilar reasoning applies” when “a personal representative signs and files a notice of appeal on behalf of an estate.” *Ditech Fin., LLC v. Estate of Stacey*, 2018 WI App 18, ¶10, 380 Wis. 2d 447, 909 N.W.2d 180. We also concluded that “a nonlawyer may not represent an entity like an estate in a mortgage foreclosure and, thus, may not commence an appeal from a mortgage foreclosure.” *Id.*, ¶11.

“To invoke this court’s jurisdiction, the notice of appeal must be correctly prepared.” *Id.*, ¶6. It is undisputed that Thornton is not licensed to practice law in Wisconsin and that he is purporting to represent the interests of his father’s estate. It is settled law that a nonlawyer may not represent the interests of an estate in Wisconsin courts. Consequently, Thornton’s signing and filing of the notice of appeal in this case violates the prohibition against the unauthorized practice of law, and this court has no jurisdiction over the appeal. *See Brown v. MR Grp., LLC*, 2004 WI App 122, ¶6, 274 Wis. 2d 804, 683 N.W.2d 481 (“When a notice of appeal is not signed by an attorney when an attorney is required, the notice of appeal is fundamentally defective and cannot confer jurisdiction on this court.”).

Therefore,

IT IS ORDERED that the appeal is summarily dismissed for lack of jurisdiction. *See* WIS. STAT. RULE 809.21; WIS. STAT. § 752.01(1).

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*