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DISTRICT II

April 1, 2026

To:

Hon. Anthony C. Nehls
Circuit Court Judge
Electronic Notice

Bridget Cook
Electronic Notice

Michelle Weber
Clerk of Circuit Court
Fond du Lac County Courthouse
Electronic Notice

Walter Arthur Piel Jr.
Electronic Notice

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

2025AP1230-CR

State of Wisconsin v. Paul A. Schadrie (L.C. #2024CF278)

Before Neubauer, P.J., Gundrum, and Grogan, 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).

Paul A. Schadrie appeals from his judgment of conviction for operating a motor vehicle while under the influence of an intoxicant, fourth offense, entered on his no contest plea. He contends the circuit court erred in denying his motion to suppress evidence derived from a traffic stop, asserting that the arresting law enforcement officer lacked the necessary reasonable suspicion to conduct the stop. 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).¹ Because we conclude the officer had the requisite reasonable suspicion to conduct the stop, we affirm.

“The question of whether a traffic stop is reasonable is a question of constitutional fact.” *State v. Post*, 2007 WI 60, ¶8, 301 Wis. 2d 1, 733 N.W.2d 634. We uphold the circuit court’s factual findings unless they are clearly erroneous. *State v. Smiter*, 2011 WI App 15, ¶9, 331 Wis. 2d 431, 793 N.W.2d 920 (2010). Our review of whether those facts constitute reasonable suspicion, however, is de novo. *State v. Powers*, 2004 WI App 143, ¶6, 275 Wis. 2d 456, 685 N.W.2d 869.

An officer may conduct a traffic stop if the officer has reasonable suspicion that a traffic law has been or is being violated. *State v. Houghton*, 2015 WI 79, ¶30, 364 Wis. 2d 234, 868 N.W.2d 143. Reasonable suspicion, “a low bar,” *State v. Nimmer*, 2022 WI 47, ¶25, 402 Wis. 2d 416, 975 N.W.2d 598 (citation omitted), is an objective inquiry, determined by what a reasonable officer would reasonably believe under the circumstances, *State v. Nesbit*, 2017 WI App 58, ¶6, 378 Wis. 2d 65, 902 N.W.2d 266. The officer must possess “specific and articulable facts which, taken together with rational inferences from those facts,” warrant a reasonable belief that the person being stopped “has committed, was committing, or is about to commit” an offense. *Post*, 301 Wis. 2d 1, ¶¶10, 13 (citation omitted).

At the hearing on Schadrie’s suppression motion, the officer testified that he was traveling behind Schadrie at approximately 27 miles per hour (mph) and “noticed Mr. Schadrie was going greater than my speed,” estimating that Schadrie was traveling at “about 30 miles

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

per hour.” The speed limit in that area was “25 miles per hour.” The officer then conducted a traffic stop on Schadrie. When questioned on cross-examination, the officer testified that his squad car speedometer was “certified and calibrated,” although he did not know when such occurred. The circuit court found that the officer believed “that a traffic violation”—speeding— “[was] occurring” and thus that he “had a valid reason to stop the vehicle.”

On appeal, Schadrie questions whether the officer had to have been traveling faster than 27 mph in order to catch up to him, but his questioning does nothing to undermine the officer’s undisputed testimony, which the circuit court implicitly found credible, that at some point within the 25 mile-per-hour zone, the officer was following Schadrie’s vehicle at approximately 27 mph “and noticed Mr. Schadrie was going greater than my speed,” estimating Schadrie’s speed “to be about 30 miles per hour.” This evidence established that the officer had reasonable suspicion that Schadrie was traveling in excess of the legal 25 mile-per-hour speed limit, providing legal justification for the stop.

Therefore,

IT IS ORDERED that the judgment of the circuit court is summarily affirmed pursuant to 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