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DISTRICT IV

July 9, 2026

To:

Hon. Gregory J. Jerabek
Circuit Court Judge
Electronic Notice

Nicholas B. Flanagan
Electronic Notice

Kimberly Stimac
Clerk of Circuit Court
Wood County Courthouse
Electronic Notice

Matthew Somers
2920 Sampson Street
Wisconsin Rapids, WI 54494

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

2025AP962

Matthew Somers v. Jamie Chariton (L.C. # 2025GF19)

Before Graham, P.J., Kloppenburg, and Nashold, 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).

Matthew Somers appeals a circuit court order denying his petition for a temporary restraining order and motion for a harassment injunction hearing. Somers sought to enjoin a county social worker assigned to a child in need of protection or services (CHIPS) case in which he was involved. Because we conclude that the petition does not allege harassment as it is defined under the law, we affirm.

Somers filed a petition for a temporary restraining order (TRO) and motion for an injunction hearing against Jamie Chariton, who Somers indicated was a “case worker” in a CHIPS case apparently involving his child. The petition states that Chariton made “false statements” and “lies intentionally causing injury” and lists “telling dangerous lies [and] false

narratives” as the specific behavior that Somers wanted Chariton to stop doing. Attached to the petition was an email from Chariton to Somers explaining that the names and contact information of his child’s foster parents were court-ordered to be kept confidential and encouraging Somers “to refrain from further attempts to find their information.”

The circuit court denied the petition without a hearing, determining that Somers failed to meet his burden of proof. Somers appeals.

A person seeking an injunction against another person must first petition a judge or court commissioner for a TRO. *See* Wis. STAT. § 813.125(4) (2023-24).¹ A petition for a TRO must provide the name of the victim and the name of the respondent, and allege that the respondent “has engaged in harassment with intent to harass or intimidate the petitioner.” § 813.125(5). “Harassment” is defined as “[e]ngaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and which serve no legitimate purpose.” § 813.125(1)(am)4.b. Before the circuit court may issue a TRO, it must find that there are “reasonable grounds to believe that the respondent has engaged in harassment.” § 813.125(4)(a)3. After a TRO is issued, a circuit court may hold a hearing to determine whether an injunction of up to four years is warranted. § 813.125(4).

Whether the facts alleged in a TRO petition constitute reasonable grounds on which to issue a TRO is a question of law that we review de novo. *See Kristi L.M. v. Dennis E.M.*, 2007 WI 85, ¶22, 302 Wis. 2d 185, 734 N.W.2d 375 (appellate courts review de novo whether a set of facts meets the legal standard necessary to issue an injunction).

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

Here, we conclude that Somers’ petition does not allege sufficient facts to support a TRO or harassment injunction against Chariton. The petition includes only Somers’ conclusory statement that Chariton told lies, and does not explain what the alleged “lies” were or how Chariton engaged in any sort of course of conduct that harassed or intimidated Somers. The attachment to the petition does not show any harassment on its face. Moreover, the statutory definition of “harassment” excludes actions that have a legitimate purpose. It appears in this case that Chariton’s statements were made in the course of her employment as a social worker in a CHIPS case; thus, the statements appear to have a legitimate purpose.

Under these circumstances, the circuit court did not err in denying the petition or motion for a hearing. We affirm.

IT IS ORDERED that the order of the circuit court is summarily affirmed. See 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