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DISTRICT I

August 25, 2026

To:

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Circuit Court Judge
Electronic Notice

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Alan Cissa
10314 W. Lancaster Avenue
Milwaukee, WI 53225

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

2025AP455

Alan Cissa v. Anshu Aggarwal, MD (L.C. # 2023CV8102)

Before Donald, C.J., Colón, P.J., and Geenen, J.

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).

Alan Cissa, pro se, appeals from an order of the circuit court denying his motion for waiver of the transcript fees for his separate pending appeal of the order granting summary judgment in favor of respondent Anshu Aggarwal, MD. 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 We summarily affirm.

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

In October 2023, Cissa filed a wrongful death claim against Dr. Aggarwal regarding the death of his mother, Victoria Cissa. In an order issued October 14, 2024, the circuit court granted summary judgment in favor of Dr. Aggarwal and dismissed Cissa’s complaint with prejudice. Cissa appealed from that order.²

After initiating that appeal, Cissa sought to have the transcript fees waived, filing several motions in the circuit court as well as in this court. A hearing on his motions was scheduled in the circuit court for February 13, 2025; Cissa failed to appear.³ Upon review of the filings by the parties, the circuit court denied Cissa’s motions seeking waiver of the transcript fees. Cissa appeals from that order.

A request to waive transcript fees falls under *State ex rel. Girouard v. Circuit Court*, 155 Wis. 2d 148, 454 N.W.2d 792 (1990). Indigency is one consideration. *Id.* at 159. However, the appellant must also “present a claim upon which relief can be granted.” *Id.* We are not persuaded that Cissa has met his burden, particularly with regard to the second prong of *Girouard*.⁴

² That appeal is docketed as No. 2024AP2283. It is being held in abeyance pending the resolution of this appeal.

³ In his motions seeking waiver of the transcript fees filed in this court, we repeatedly informed Cissa that such determinations are made in the circuit court. Nevertheless, upon filing a motion seeking waiver of the transcript fees with the circuit court, and obtaining a hearing date on that motion, Cissa apparently chose not to appear at the hearing. He explains in his reply brief that he refused to attend the hearing due to “[t]he severance of the lines of communication and hostile behavior ... of the court.”

⁴ Cissa focuses on demonstrating indigency. However, because we decide that Cissa has not presented a claim for which relief may be granted, we do not address the issue of indigency further. See *Sweet v. Berge*, 113 Wis. 2d 61, 67, 334 N.W.2d 559 (Ct. App. 1983) (“Because we have determined that there is at least one sufficient ground to support the order, we need not discuss the others.”).

Whether Cissa has presented a claim upon which relief may be granted is a question of law that we review de novo. See **Lornson v. Siddiqui**, 2007 WI 92, ¶13, 302 Wis. 2d 519, 735 N.W.2d 55. As referenced above, Cissa filed this action claiming his mother died while under the care of Dr. Aggarwal at Froedtert Hospital due to medical negligence. Specifically, Cissa alleges that Dr. Aggarwal failed to address Victoria’s “dangerously high potassium level,” which ultimately caused her death. Therefore, Cissa’s claim is bound by WIS. STAT. ch. 655, which “controls all claims for death or injury resulting from medical malpractice.” **Czapinski v. St. Francis Hosp., Inc.**, 2000 WI 80, ¶18, 236 Wis. 2d 316, 613 N.W.2d 120.

WISCONSIN STAT. § 655.007 plainly states that “any patient or the patient’s representative having a claim or any spouse, parent, minor sibling or child of the patient having a derivative claim for injury or death on account of malpractice is subject to this chapter.” As an adult child of Victoria, Cissa is not included in this list of individuals who may pursue a claim under WIS. STAT. ch. 655. Furthermore, Cissa has not demonstrated that he is entitled to bring a claim as the personal representative of Victoria’s estate.⁵ See *id.*

Nevertheless, Cissa argues that as an adult child of Victoria, he may bring a wrongful death claim under WIS. STAT. § 895.04. However, our supreme court has ruled that a wrongful death claim pursuant to § 895.04 is not an option for matters where WIS. STAT. ch. 655 is applicable. In **Lornson**, the court concluded that although the wrongful death statute may indicate that an adult child is eligible to assert a wrongful death claim for a parent’s death, the adult child’s “eligibility under WIS. STAT. § 895.04(2) is in direct conflict with [his or] her

⁵ In fact, there is no record of an existing probate matter establishing an estate for Victoria.

ineligibility under WIS. STAT. § 655.007[.]” *Lornson*, 302 Wis. 2d 519, ¶29. Therefore, “in view of the unquestioned primacy of Chapter 655 in medical malpractice cases,” the court held that a plaintiff’s individual claim in a medical malpractice case made in the “capacity as an adult child is barred under WIS. STAT. § 655.007.” *Id.*

In an attempt to overcome this bar, Cissa argues that Dr. Aggarwal is not covered under WIS. STAT. ch. 655 because she had not completed her residency at the time she was caring for Victoria. However, the record reflects that Dr. Aggarwal established that during this time, she had obtained her medical degree, was a licensed physician in the State of Wisconsin, and was a resident physician in training through a graduate medical training program at the Medical College of Wisconsin Affiliated Hospitals, as set forth under WIS. STAT. § 655.002(2)(c).

In short, Cissa has not demonstrated that WIS. STAT. ch. 655 does not apply to his claim and that he has standing to bring his claim against Dr. Aggarwal. *See Lornson*, 302 Wis. 2d 519, ¶29. Consequently, he has not shown that this claim is one “upon which relief can be granted.” *See Girouard*, 155 Wis. 2d at 159. Accordingly, we affirm the order denying Cissa’s motion for the waiver of transcript fees.

Therefore,

IT IS ORDERED that the order 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