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DISTRICT II

November 25, 2026

To:

Hon. Daniel J. Bissett
Circuit Court Judge
Electronic Notice

Desiree Bongers
Clerk of Circuit Court
Winnebago County Courthouse
Electronic Notice

Jacob Monroe McCann
Electronic Notice

Petitioner
Electronic Notice

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

2025AP1261 Petitioner v. Jacob Monroe McCann (L.C. #2025CV180)

Before Gundrum, Grogan, and LoCoco, 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).

Jacob Monroe McCann appeals from a four-year domestic abuse injunction order mandating that he avoid contacting the Petitioner or committing acts or threats of domestic abuse against her. 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] For the following reasons, we affirm.

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

On February 13, 2025, the Petitioner filed a petition for a temporary restraining order and domestic abuse injunction against McCann pursuant to WIS. STAT. § 813.12. Briefly, her petition alleged that she had been in a multi-year relationship with McCann, that McCann had physically and sexually abused her during that relationship, that McCann was in custody but set to be released in the upcoming months, and that the Petitioner feared for her safety upon his release.

On May 29, 2025, at the hearing de novo on the injunction, both the Petitioner and McCann appeared without counsel, with McCann appearing via telephone from prison. The Petitioner testified and McCann cross-examined her; McCann declined to testify himself but called the mother of his son as an additional witness. The circuit court found reasonable grounds to believe that McCann had engaged in domestic abuse of the Petitioner and granted the injunction, *see* WIS. STAT. § 813.12(4)(a)3., specifically finding "that there was an intentional infliction of physical pain, that there was some impairment of a physical condition, that there was some damage to property, that there was some sexual contact or intercourse without consent."

McCann raises three issues on appeal. The first two—that the circuit court erred by denying McCann's request to appear by video rather than telephone and to introduce certain evidence—are undeveloped, and we reject them on that basis. *See, e.g.*, ***Industrial Risk Insurers v. American Eng'g Testing, Inc.***, 2009 WI App 62, ¶25, 318 Wis. 2d 148, 769 N.W.2d 82 ("Arguments unsupported by legal authority will not be considered, and we will not abandon our neutrality to develop arguments." (citations omitted)); ***State v. Pettit***, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992) ("We may decline to review issues inadequately briefed."). As to the second issue in particular, it is unclear exactly what evidence McCann sought to introduce and why its admission would have made a difference. *See* ***Hales Corners Sav. & Loan Ass'n v.***

Kohlmetz, 36 Wis. 2d 627, 633-34, 154 N.W.2d 329 (1967) (offer of proof permits this court to assess if exclusion of evidence was prejudicial).

As for McCann's third issue, McCann argues insufficient evidence supports the injunction. As indicated above, to issue the injunction, the circuit court was required to find—and did find—"reasonable grounds to believe that the respondent has engaged in, or based upon prior conduct of the petitioner and the respondent may engage in, domestic abuse of the petitioner." WIS. STAT. § 813.12(4)(a)3. "Reasonable grounds" means "more likely than not that a specific event has occurred or will occur." Sec. 813.12(1)(cg).

The circuit court based its findings on the Petitioner's testimony as to prior domestic abuse incidents she said occurred, testimony which McCann attempted to test rigorously on cross-examination. He now argues reversal is necessary because the Petitioner's statements were "inconsistent, uncorroborated, and repeatedly altered over time," and suggests the Petitioner was motivated by a desire for "revenge rather than protection." But the court acknowledged that the Petitioner's inability to recall certain details weakened her credibility and was aware of the possibility of an ulterior motive. Nevertheless, it ultimately decided the Petitioner's account was sufficiently believable to justify the injunction. It is for the circuit court to weigh the credibility of witnesses, and McCann does not point to any evidence in the Record that renders the court's findings of fact clearly erroneous. *See* ***Wittig v. Hoffart***, 2005 WI App 198, ¶19, 287 Wis. 2d 353, 704 N.W.2d 415; ***Johnson v. Miller***, 157 Wis. 2d 482, 487-88, 459 N.W.2d 886 (Ct. App. 1990) (finding based on the circuit court's assessment of credibility and weight of conflicting testimony will be upheld unless incredible as a matter of law). We therefore conclude sufficient evidence in the form of the Petitioner's testimony supports the circuit court's issuance of the injunction.

Therefore,

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