



OFFICE OF THE CLERK  
**WISCONSIN COURT OF APPEALS**

110 EAST MAIN STREET, SUITE 215  
P.O. BOX 1688  
MADISON, WISCONSIN 53701-1688  
Telephone (608) 266-1880  
TTY: (800) 947-3529  
Facsimile (608) 267-0640  
Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT I**

June 17, 2019

To:

Hon. Richard J. Sankovitz  
Circuit Court Judge  
821 W. State St.  
Milwaukee, WI 53233

Karen Kotecki  
Legal Aid Society of Milwaukee  
728 N. James Lovell St., 3rd. F/N  
Milwaukee, WI 53233-2408

John Barrett  
Clerk of Circuit Court  
901 N. 9th Street, Room G8  
Milwaukee, WI 53233

Crypticion Priest  
936A N. 37th. St.  
Milwaukee, WI 53208

Angela M. Guyton-Yamoah  
4535 W. Fond Du Lac Ave.  
Milwaukee, WI 53216

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

---

2017AP2061                      State of WI Child Support Enforcement Agency v. Angela M.  
Guyton-Yamoah (L.C. # 2006FA340)

Before Kessler, P.J., Brash and Dugan, 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).**

Crypticion Priest, *pro se*, appeals from a circuit court order directing that Priest have no periods of physical placement with his minor child until he submits to a mental health evaluation and authorizes the release of his medical and mental health records. The circuit court's order also granted sole legal custody to the child's mother. 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 (2017-18).<sup>1</sup> We summarily affirm the order.

At the outset, we observe that Priest’s brief is inadequate. It does not identify the proper legal standards this court should use to evaluate the circuit court’s order, and it does not contain proper citations to the record. It also lacks an adequate statement of facts, table of contents, statement of the issues, and analysis of the circuit court’s decision. *See* WIS. STAT. RULE 809.19(1). Priest’s purported legal arguments fall far below even the lenient standards we apply to *pro se* appellants. This court need not address issues so lacking in organization and substance that for the court to decide them it would first have to develop the issues. *See State v. Pettit*, 171 Wis. 2d 627, 647, 492 N.W.2d 633 (Ct. App. 1992).

Nonetheless, we have carefully reviewed the record and we will briefly address the concerns that Priest appears to raise on appeal. We bear in mind that child custody and placement determinations are “committed to the sound discretion of the circuit court.” *See Gould v. Gould*, 116 Wis. 2d 493, 497, 342 N.W.2d 426 (1984). We will sustain a discretionary decision if the “court examined the relevant facts, applied a proper standard of law, and, using a demonstrated rational process, reached a conclusion that a reasonable judge could reach.” *See Liddle v. Liddle*, 140 Wis. 2d 132, 136, 410 N.W.2d 196 (Ct. App. 1987).

Priest and Angela M. Guyton-Yamoah are the parents of a minor child. In 2008, the circuit court ordered that the parties would have joint custody except that Guyton-Yamoah was granted “final decision-making authority for medical, health, education and religious purposes.”

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

Guyton-Yamoah was also granted primary physical placement. Priest was granted specific periods of physical placement that were contingent on him maintaining a residence with a particular person. He was also ordered to “continue with psychotherapy as deemed necessary by his therapist, including adherence to any medication protocol as ordered by any provider.”

In August 2016, Guyton-Yamoah filed a *pro se* motion seeking to modify physical placement. Several weeks later, Priest filed a *pro se* motion seeking to modify custody and physical placement.

The parties appeared before a family court commissioner, who recommended that the circuit court appoint a guardian ad litem (“GAL”). The circuit court did so. At an April 2017 hearing before the court commissioner, the GAL recommended that the commissioner hold open the issue of Priest’s physical placement, based on the GAL’s investigation into the mother’s and the child’s concerns about placement with Priest. Priest objected. The commissioner ordered that placement be held open and referred the case to the circuit court.

In May 2017, the parties—both of whom retained counsel following the April 2017 hearing before the family court commissioner—appeared before the circuit court. The GAL continued to recommend holding open physical placement based on her concerns about the child’s safety and well-being. Guyton-Yamoah agreed with the GAL’s recommendation. Priest disagreed, and his counsel asserted that there were options short of denying Priest all periods of physical placement, such as supervised visitation.

The circuit court expressed concern with continuing an order that would end Priest’s contact with the child. The circuit court said that it wanted to address several issues, including concerns about the child’s safety, in order to find the best long-term solution. The circuit court

ordered Priest to have a mental health evaluation and ordered the parties to return in one month. The circuit court also issued a written order explaining its reasoning.

When the parties returned to court one month later, the circuit court held an off-the-record conference with the parties because Priest had not obtained a mental health evaluation. The circuit court issued a written order adjourning the case to September 2017. The order indicated that Priest had signed the required medical releases during the conference so that the parties could obtain his mental health treatment records.

In July 2017, Priest sent the circuit court a document that complained about his counsel and the way his case was being handled.<sup>2</sup> Priest's attorney subsequently withdrew from the case. Thereafter, Priest proceeded *pro se*.

In August 2017, Guyton-Yamoah filed a motion seeking sole legal custody.

At the September 6, 2017 hearing, the GAL informed the circuit court that Priest had withdrawn his permission for her to review his medical records and had failed to undergo a mental health evaluation. The GAL also provided information about the child's positive progress at school and indicated that she believed placement for Priest should continue to be held open.

The circuit court acknowledged that Priest had a right not to share his medical records and not to submit to a mental health evaluation, but it told Priest that until it could assess whether

---

<sup>2</sup> Throughout the proceedings, Priest filed a number of letters objecting to the way the case was proceeding. The arguments he made are difficult to discern but appear similar to those presented in Priest's appellate briefs.

the child was safe with Priest, it would not allow Priest to have contact with the child. Priest responded: “I agree. I agree with that. I’ll work on that.”

Priest asked the circuit court to address his concerns that the GAL and others had presented false information about his interactions with the child. The circuit court said that it would address those issues after Priest provided access to his medical records and submitted to a mental health evaluation.

The circuit court entered a written order summarizing the proceedings. In that order, the circuit court found that “Priest cannot be trusted to follow court orders” and that the child “is not safe in his care.” The circuit court ordered that Guyton-Yamoah would have sole legal custody of the child and that Priest would not have periods of physical placement until “he submits written proof of the results of a mental health evaluation, and a release of medical and mental health records sufficient to inform the court and a [GAL] of any current mental health condition that might endanger” the child. (Italics omitted.)

Priest now appeals from that circuit court order. As best we can discern, Priest is concerned with the court commissioner’s findings from the April 2017 hearing. Priest believes that the GAL’s statements at the April 2017 hearing were “fraudulent” and that his right to “fundamental fairness” was violated. Priest also expresses concern with the attorney who briefly represented him and the circuit court’s reactions to information provided in court. The problem with Priest’s allegations is that his own actions prevented the circuit court from evaluating his claims and his ability to safely interact with the child. At the May 2017 hearing, upon meeting the parties for the first time, the circuit court expressed concern about a “hold open” physical placement order for Priest. The circuit court attempted to establish a mechanism for quickly

delving into the issues in the case. It directed Priest to release his medical records and have a mental health evaluation, and it set a return date for the next month. If Priest had followed through with the evaluation, the circuit court could have proceeded to evaluate the merits of Priest's claim that he is not a danger to the child. However, Priest chose not to follow through with the circuit court's order, even after receiving an extension of time to get the mental health evaluation. Ultimately, the circuit court found that physical placement with the child would not be safe until it could learn more about Priest's mental health, which was recognized as an issue as early as the 2008 court order.

On appeal, Priest has not adequately explained why he believes the circuit court's order is erroneous, especially when he expressly agreed on the record that he would need to release his medical records and undergo a mental health evaluation before he could resume physical placement with the child. We are not persuaded that the circuit court erroneously exercised its discretion. At each hearing, the circuit court explained the reasons for its decisions, and it indicated that it is willing to revisit the issue of the child's physical placement after Priest obtains a mental health evaluation and provides access to his medical records.

In addition to challenging the circuit court's decision, Priest asks this court to order the circuit court to give Priest an "appropriate copy of legible court st[e]nographer 04/03/17 transcribed case data." (Capitalization omitted.) The parties' appearance before the court commissioner on April 3, 2017, was not transcribed by a court reporter, so a transcript is not available. In addition, the commissioner's decision, which is in the record, is handwritten. Priest has a copy of that order that he can review. More importantly, the family court commissioner's findings are not at issue—all issues are before the circuit court, which can take testimony and

hear directly from witnesses. Therefore, we decline to order the circuit court to provide court commissioner hearing transcripts or typed court commissioner orders for Priest.

Finally, Priest asks this court to take action if we find that an attorney or the circuit court engaged in professional misconduct. The factual record in this case is not fully developed. We are not persuaded that any referrals are necessary at this time.

For the foregoing reasons, we summarily affirm the circuit court's order.

IT IS ORDERED that the order is summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

---

*Sheila T. Reiff*  
*Clerk of Court of Appeals*