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DISTRICT IV

May 21, 2020

To:

Hon. Darcy Jo Rood
Circuit Court Judge
Vernon County Courthouse
400 Courthouse Square
Viroqua, WI 54665

Sheila Olson
Clerk of Circuit Court, Ste. 115
400 Courthouse Square
Viroqua, WI 54665

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Raymond R. Barton

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

2019AP650

Petitioner v. Raymond R. Barton (L.C. # 2018CV3)

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

Raymond Barton, pro se, appeals an amended domestic abuse injunction order. 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(1).¹ We affirm.

In January 2018, C.G. petitioned for a domestic abuse injunction order against Barton. The circuit court entered an injunction order effective through January 12, 2022. Check boxes

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

on the injunction order for the surrender of firearms were left blank. Barton did not appeal that order. More than a year later, in March 2019, the circuit court entered an amended injunction order with a box checked requiring Barton to surrender any firearms he owned or possessed to the county sheriff.

Barton appeals the amended injunction order, but he does not challenge the surrender of firearms requirement. Rather, Barton's arguments all relate to whether the circuit court committed error when deciding the original injunction order entered in January 2018. Barton argues that the circuit court erred in denying his motion to dismiss C.G.'s petition, and that the circuit court showed bias or prejudice against him in several respects during the January 2018 injunction hearing.

Because Barton's arguments do not relate to any new issue raised by the amended injunction order, his appeal is not timely. *See La Crosse Trust Co. v. Bluske*, 99 Wis. 2d 427, 428-29, 299 N.W.2d 302 (Ct. App. 1980). Barton could have raised those arguments by appealing the original injunction order, but Barton did not timely appeal that order. *See* WIS. STAT. § 808.04(1) (setting forth the time for initiating an appeal).

Therefore,

IT IS ORDERED that the circuit court's order is summarily affirmed pursuant to WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

*Sheila T. Reiff
Clerk of Court of Appeals*