STATE OF WISCONSIN

SUPREME COURT

Case No. 22AP1028

**In re the termination of parental rights to C.M.M.,
A Person under the age of 18:**

STATE OF WISCONSIN,
Petitioner-Respondent-Respondent,

v.

J.D.C. Jr.,
Respondent-Appellant-Petitioner.

GUARDIAN AD LITEM'S RESPONSE TO PETITION FOR REVIEW

THE LEGAL AID SOCIETY OF MILWAUKEE, INC.

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Guardian ad Litem for C.M.M.

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ISSUE PRESENTED FOR REVIEW

1. Whether the trial court properly considered alternative placement options for C.M.M.

Court of Appeals Answered: Yes.

Furthermore, this Court should not grant J.D.C. Jr.'s Petition for Review under Wisconsin Statute § 809.62(1r) because the facts of this case do not specifically raise the issue of who bears the burden at disposition as presented in J.D.C. Jr.'s Petition. J.D.C. Jr. argues that the trial court's barring relitigation of placement under preclusion doctrine as to C.M.M.'s sibling somehow shifted the burden of proof to J.D.C. Jr. in his own disposition as to C.M.M. J.D.C. Jr. characterizes this as presenting the issue of who, if anyone, bears the burden of proof at disposition. While the latter is an issue plaguing District I, and, as noted by J.D.C. Jr., is under review in *State v. A.G.,* the question of who bears the burden of production and persuasion at disposition, and what evidentiary standard "best interests" must be proven by, is simply not the issue in this case and resolution of those questions would not materially affect the trial court's decision.

STATEMENT OF THE CASE

On November 5, 2019, the State of Wisconsin filed a Petition for Termination of Parental Rights to C.M.M. against J.D.C. Jr. on the asserted grounds of continuing need of protection or services pursuant to Wis. Stat. § 48.415(2), and failure to assume parental responsibility pursuant to Wis. Stat. § 48.415(6).[1]

After several delays, an initial appearance with J.D.C. Jr. was conducted on January 15, 2020. (R. 122). J.D.C. Jr. entered a jury demand

[1] The petition alleged the same grounds against B.M., the child's mother, and petitions were additionally filed over siblings with different fathers, including H.J. and M.W. Where not relevant, this brief will not go into specific details as to these cases.

and the case was set for a jury trial. (R. 122: 17). On January 19, 2021, J.D.C. Jr. entered a no contest plea to failure to assume parental responsibility pursuant to Wis. Stat. § 48.415(6). (R. 110: 15–22).

On April 19, 2021, a jury trial proceeded as to the mother, B.M. (R. 111). On April 21, 2021, the jury found grounds against B.M. and the trial court entered judgment on the verdicts (R. 107: 4, 6–7). On April 22, 2021, the trial court proceeded to prove up as to J.D.C. Jr. and disposition as to both parents. (R. 106). After hearing testimony, the trial court found clear and convincing evidence that J.D.C. Jr. failed to assume parental responsibility pursuant to Wis. Stat. § 48.415(6) and found J.D.C. Jr. unfit. (R. 106: 49–52, 56). Disposition was scheduled across four days, and on September 20, 2021, the trial court found that it was in C.M.M.'s best interests that J.D.C. Jr.'s rights be terminated. (R. 101: 105). The trial court filed a signed order to that effect on September 22, 2021. (R. 95).

J.D.C. Jr. filed a notice of intent to pursue post-disposition relief on September 20, 2021, and a notice of appeal was filed on June 21, 2022. (R. 94, 141). J.D.C. Jr.'s brief in support of his appeal was e-filed on July 26, 2022. On September 27, 2022, the Court of Appeals affirmed the trial court's findings, noting that J.D.C. Jr.'s assertion that the trial court failed to properly consider placement alternatives was not supported by the record, and further that the trial court considered and rejected the placement alternatives proffered by J.D.C. Jr. *State v. J.D.C. Jr.*, No. 2022AP1028, slip op. p. 9 (WI App. September 27, 2022).

On October 25, 20222, J.D.C. Jr. filed a Petition for Review to this Court.

STATEMENT OF FACTS

C.M.M. is a young child who has lived in the child welfare system since she was six years old. (*See* R. 70). On March 7, 2018, the State of Wisconsin filed Petitions for Protection or Services over C.M.M. and her siblings H.J. and M.W. after domestic violence between B.M. and C.W.—

M.W.'s father—had escalated to physical abuse to the children. (R. 68). H.J. had injuries to her face and hands, and C.M.M. disclosed being hit with a wooden spoon. (R. 70).

The children were initially placed with the mother in an undisclosed placement; however, the children were removed from her home on March 18, 2018, when B.M. allowed continued contact with C.W. (R. 70). C.M.M. was placed with her paternal grandmother, L.R. (R. 70: 3). J.D.C. Jr. was not regularly involved in C.M.M.'s life to this point in time and his whereabouts were unknown at the time of temporary physical custody. (R. 70).

The CHIPS court found C.M.M. to be a child in need of protection or services on May 2, 2018, pursuant to Wis. Stats. §§ 48.13(3), (3m), (10), and (10m). (R. 67: 8), and on September 18, 2018, a dispositional order was entered outlining conditions for return and services to assist J.D.C. Jr. in meeting those conditions. (R. 69).

On November 5, 2019, the State of Wisconsin filed a Petition to Terminate Parental Rights. (R. 5). J.D.C. Jr. entered a no contest plea to failure to assume parental responsibility, (R. 110: 15–22) and the court found that there was clear and convincing evidence to support that plea on April 22, 2021, (R. 106: 49–52, 56). The case proceeded to disposition on April 22, 2021, April 23, 2021, June 3, 2021, and September 20, 2021.

During the dispositional hearing, the ongoing case manager, L.M., testified to the dispositional factors in Wis. Stat. § 48.426(3). L.M. testified that C.M.M. had a fully-licensed, committed adoptive resource identified, where three of her siblings were currently placed. (R. 89: 8, 10).[2] L.M. testified that C.M.M. is bonded to the foster parents and enjoys being placed with her siblings with whom she shares a strong bond. (R. 89: 10–12). L.M. testified that the commitment from the caregivers was apparent not only by

[2] C.M.M. has four maternal siblings: H.J., M.W., F.E., and A.E. Two of those siblings are post-TPR: H.J., and M.W. Two others are in other postures but in the child welfare system: F.E. and A.E. At the time of disposition, C.M.M. was placed in the same home as M.W., F.E. and A.E.

their taking placement of all five children at various times,[3] but also by their building relationships with biological immediate and extended family members over the years. (R. 89: 9). L.M. testified that it was highly likely C.M.M. would be adopted by the caregivers, but that C.M.M. is otherwise adoptable given her age and health, as C.M.M. was young and had no exceptional needs. (R. 89: 12–13, 23–24).

L.M. and others testified extensively as to C.M.M.'s relationships with her father, paternal grandmother, paternal great-grandmother, and paternal aunts. C.M.M. was rarely having in-person visitation with J.D.C. Jr., but instead J.D.C. Jr. elected for most of the case to have telephonic contact only so C.M.M. would not see him in custody. (R. 106: 8–10) (R. 89: 35) (R. 88: 20). When released, J.D.C. Jr. did not set up in person visitation, but may have had some visitation supervised by L.R., the paternal grandmother. (R. 89: 35) (R. 88: 23–24). Even phone contact had started to drop off by the end of the dispositional hearings, and the content of those discussions were becoming inappropriate. (R. 101: 14, 29). J.D.C. Jr.'s visitation was so inconsistent that the DMCPS set up visitation without telling C.M.M. so she would not be disappointed when J.D.C. Jr. failed to show up for her. (*See* R. 89: 35–36). L.M. testified that J.D.C. Jr. lacked any motivation or consistency to be a daily presence and caregiver to C.M.M., and that was why his case was never able to progress. (R. 106: 11). Ultimately, L.M. believed that C.M.M. had a relationship with J.D.C. Jr., but that there would be no harm in severing it because the relationship was often traumatic for C.M.M. when J.D.C. Jr. would let her down. (*See* R. 89: 36).

L.M. testified that prior to the proposed adoptive resource, C.M.M. lived with her paternal grandmother, L.R. (R. 89: 13). That placement ended for a few reasons: the first, that C.M.M. was crying, fearful at night, and she desperately wanted to live with her siblings; and the second, that L.R. wanted to just be C.M.M.'s grandmother again – she wanted to do fun things with C.M.M. on weekends, but she did not want to be a full time parent to C.M.M. (R. 89: 13–14). L.M. testified that it was important to C.M.M. to be with all

[3] The same caregivers had placement of H.J. for a period of time, but placement of H.J. was changed during the course of the dispositional hearing.

of her siblings, and that she shares a bond with all of them. (R. 90: 18). Since that removal, L.R. has never expressed a desire to have C.M.M. returned to her, but she wanted to continue to have a relationship. (R. 90: 17) (R. 92: 65).

After the change of placement to the foster parents, C.M.M. continued to see L.R. at least once a month, but sometimes as often as every other week. (R. 90: 2). There was no court order for this to occur, but the caregivers recognized the importance of the relationship and maintained this relationship without the assistance of the DMCPS. (R. 90: 14). L.M. testified that the relationship between C.M.M. and L.R. was likely substantial, and to lose contact entirely would be harmful; however, L.M. noted that given the caregivers demonstrated commitment to maintaining the relationship, she did not think legal severance would cause any harm. (R. 90: 3–4, 16). Specifically, L.M. testified: "Since [C.M.M.] has been placed with the [foster parents], [L.R.] was actually there moving [C.M.M.] in, and it was a family affair, and they have maintained contact, had a relationship and continued to set up visits without any involvement from me." (R. 90: 4).

L.M. testified that only one relative stepped forward for placement since C.M.M. left L.R.'s home: the paternal great-grandmother, V.R. (R. 90: 1). V.R. initially only asked for C.M.M., but then stated she was open to all five children coming to her home. (R. 90: 1). She was not fully assessed for safety or placement given she was not licensed for the other four children, and V.R. never followed up on licensing. (R. 90: 2) (R. 88: 28). There was some evidence that V.R. had some contact with C.M.M. through L.R.'s visits, but C.M.M. never really talked about V.R. with others. (R. 88: 31–32) (*But see* R. 88: 43) (*But see* R. 88: 45–46) (*But see* R. 92: 29). The evidence that C.M.M. may have wanted to live with V.R., or had a close relationship with V.R., came exclusively from V.R. herself, or J.D.C. Jr., (*See* R. 88: 42) (*See* R. 92: 90), but seemed contradicted by others. (*See* R. 92: 29).

L.M. testified at length as to C.M.M.'s relationship with siblings, noting that C.M.M. lived with three of her siblings—M.W., F.E., and A.E.—and had lived with H.J. for a period of time. C.M.M. and H.J. were bonded, but H.J. developed aggressive, rageful, and unsafe behaviors with other children, including her siblings. (R. 89: 16–21). H.J. was subsequently

moved out of the caregivers home, and throughout the course of the dispositional hearing she was initially placed in another foster home, and then moved to a relative that was not related to C.M.M; however, the caregivers had always indicated they were open to maintaining and building relationships with extended family.

L.M. testified that C.M.M. was "conflicted" about the case and her placement. (R. 88: 25). L.M. noted that sometimes C.M.M. would say she wanted to stay with the foster parents, and other times she would say she wanted to live with L.R. (R. 88: 24–25) (R. 90: 2–3). L.M. did not believe C.M.M. was able to understand adoption, but noted that "to [C.M.M.], her world would not change at all if TPR was granted, and legal separation would occur." (R. 88: 26). B.M., C.M.M.'s mother, testified that C.M.M. told her almost every other visit that C.M.M. wanted to live with B.M., J.D.C. Jr., or L.R. (R. 92 : 15, 32). J.D.C. Jr. testified that C.M.M. told him she wanted to live with him, or L.R. (R. 92: 90).

Evidence showed that C.M.M. had been out of home since her removal, and that her memories in the parental home were negative. (R. 90: 5). C.M.M. had disclosed memories of having burn marks on her body caused by her mother's husband; memories of C.M.M. and H.J. having to stand in a corner of a hotel room while her mother and her mother's husband had sex; and memories of sexual abuse inflicted on her by her stepbrother. (R. 90: 6–7). C.M.M. had been separated from her mother for three-and-a-half years, and from J.D.C. Jr. for all but possibly one year of her life.

L.M. testified that there had been no meaningful progress made by either parent, as B.M.'s service involvement had been minimal and sporadic, (R. 90: 8), and J.D.C. Jr. lacked motivation to be consistently present for C.M.M. as a father figure. (R. 90: 9–10). L.M. testified that even when J.D.C. Jr. was out of custody, he was not available to C.M.M. (R. 90: 10). C.M.M. was likely to linger in foster care due to the lack of motivation and progress by the parents, but she was more likely to enter a stable and permanent family relationship if TPR was granted. (R. 90: 11).

After hearing closing arguments, the trial court ultimately found that TPR was in the best interests of the children. (R. 101: 105). The court found credible evidence that C.M.M. was in an adoptive resource that was committed to adoption, (R. 101: 95, 98); that there was nothing about C.M.M.'s age or health that would prevent adoption, (R. 101: 98–99); and that C.M.M. was separated from her parents for slightly less than half of her life—three-and-a-half years—and additionally that C.M.M. had some memories prior to removal, but her time in the parental home was not a positive experience. (R. 101: 95–96, 102–103).

As to C.M.M.'s wishes, the trial court noted that it was obvious that C.M.M. loved her mother, and that C.M.M. had even noted wanting to live with her mother. (R. 101: 101). However, the trial court noted: "Certainly, it's the actual desire of any child, you know, to live with their mom. The problem is, you know, they can't live with [B.M.]. She's not able to provide a safe home." (R. 101: 101). Further, the trial court noted that C.M.M. was "too little to offer [her] wishes under this very complex circumstance." (R. 101: 102).

As to substantial relationships, the trial court found that it was difficult to gauge how substantial C.M.M.'s relationship was with J.D.C. Jr., but the court was confident that the caregivers and other adults in the case would make good decisions to mitigate any harm caused by a legal severance of the relationship. (R. 101: 102). Specifically, the trial court noted that the foster parents had demonstrated commitment to familial relationships in the case in a very significant way that mitigated harm with any legal severance of biological relationships. (R. 101: 96, 103).

As to the siblings, the trial court found that the siblings all have substantial relationships with each other, but C.M.M. would retain that relationship with at least M.W., and possibly F.E. and A.E. depending on their case progress. *(See* R. 101: 104–105). The court noted testimony throughout the case about continuing contact with H.J. and found that any harm would be mitigated by continued contact. (R. 101: 104).

Possibly the most relevant relationship was C.M.M.'s relationship with her grandmother, L.R., which the court found to be a very meaningful relationship, and possibly even a substantial relationship. (R. 101: 104). The trial court ultimately found that the foster parents had demonstrated their commitment to continuing that relationship, and so the harm was mitigated. (R. 101: 104).

Finally, the trial court found that the key factor in the case was the need for stability and permanence, characterizing the case as a "rollercoaster." (R. 101: 103). The trial court did not believe dismissing the TPR in favor of the CHIPS process to see what would stick for placements or reunification was wise and did not have high hopes for an alternative outcome. (R. 101: 103). The trial court found that the parents could not provide stability, relative placements had routinely not panned out or had been litigated already, and starting over with the great-grandmother, V.R., would be disruptive and harmful for children who had already endured too much disruption in their young lives. (R. 101: 105).

Accordingly, the trial court granted the TPR petition on September 20, 2021, and entered orders terminating J.D.C. Jr.'s parental rights. J.D.C. Jr. appealed to the Court of Appeals, arguing that (1) the trial court failed to fully consider C.M.M.'s relationship with her paternal relatives under Wis. Stat. § 48.426(3)(c); (2) the trial court failed to consider C.M.M.'s wishes under Wis. Stat. § 48.426(3)(d); and (3) the trial court failed to properly consider dispositional alternatives for C.M.M. due to its "aversion to relitigating" previous placements. The Court of Appeals rejected all of these arguments, finding that the evidence supported the trial court's findings.

J.D.C. Jr. filed a Petition for Review on October 25, 2022. This brief follows.

ARGUMENT

A termination of parental rights action is a bifurcated proceeding. *Sheboygan County DHHS v. Julie A.B.*, 2002 WI 95 ¶ 24, 255 Wis. 2d 170, 648 N.W.2d 402. The first phase, or the grounds phase, involves determining

whether there are reasons to terminate a person's parental rights to a child. *Id.* The second phase, or the dispositional phase, requires that a trial court decide whether termination of parental rights is in a child's best interests. Wis. Stat. § 48.426 (2); *Steven V. v. Kelley H.*, 2004 WI 47 ¶ 25, 271 Wis. 2d 1, 678 N.W.2d 856.

The decision to terminate parental rights is within the circuit court's discretion. *Brandon S.S. v. Laura S.*, 179 Wis. 2d 114, 150, 507 N.W.2d 94 (1993). A decision by a trial court will be upheld if there is a proper exercise of discretion. *State v. Margaret H.*, 2000 WI 42 ¶ 27, 234 Wis. 2d 606, 610 N.W.2d 475; *Rock County Dept. of Social Servs v. K.K.*, 162 Wis. 2d 431, 441, 469 N.W.2d 881 (Ct. App. 1991). If a trial court examines the relevant facts, applies a proper standard of law, and, using a demonstrated rational process, reaches a conclusion that a reasonable judge could reach, then a trial court will be found to have properly exercised its discretion. *Dane County DHS v. Mable K.*, 2013 WI 28 ¶ 39, 346 Wis. 2d 396, 828 N.W.2d 198; *see also Julie A.B.*, 2002 WI 95 ¶ 30, 255 Wis. 2d 170, 648 N.W.2d 402; *Margaret H.*, 2000 WI 42 ¶ 32, 234 Wis. 2d 606, 610 N.W.2d 475. Evidence is viewed in the light most favorable to the verdict. *Tammy W-G. v. Jacob T.*, 2011 WI 30 ¶ 39, 333 Wis. 2d 273, 797 N.W.2d 854.

I. THE TRIAL COURT DID NOT FORECLOSE EVIDENCE ON PRIOR PLACEMENTS FOR C.M.M. AND PROPERLY CONSIDERED AND DENIED A NEWLY PROFFERED PLACEMENT FOR C.M.M.

J.D.C. Jr. argues that this Court should grant review to resolve the issue plaguing District I, specifically, who has the burden of proof at disposition. This is an issue that has taken over jurisprudence in District I TPR cases; however, it is not the issue in this case, and this case does not present facts that would offer resolution. The full issue that needs resolution is who has the burden of proof at disposition, and to what evidentiary standard. J.D.C. Jr.'s Petition is insufficiently argued, as evidentiary standards are not discussed, but further, the burden of proof and evidentiary standard issue is already pending before this court in *State v. A.G.*, which J.D.C. Jr. acknowledges in his Petition. In this case, the issue of who has the

burden to prove that termination is in a child's best interests, or what evidentiary standard that must be proven to, is no more at issue than any other TPR proceeding pending in Wisconsin.

Here, J.D.C. Jr. argues that the burden was shifted to the parents, but it was not. Specifically, J.D.C. Jr. argues that the trial court "imposed a tacit presumption in favor of the status quo" when it "announced its reluctance to relitigate placement." (Br. of App. at Court of Appeals at 43; Petition for Review at 24). In turn, J.D.C. Jr. asserts that this was an impermissible shifting of the burden to J.D.C. Jr. to prove that a dispositional alternative was appropriate, rather than forcing the State to prove that TPR was appropriate.

Wisconsin Statute § 48.426 governs the dispositional phase of TPR proceedings. The statute provides that the best interests of the child shall be the prevailing factor considered by a court in determining the disposition of a child. Wis. Stat. § 48.426(2); *Julie A.B.* 2002 WI 95 ¶ 4. A trial court may consider any relevant evidence but must consider the six factors set out in Wis. Stat. § 48.426(3). *Steven V.*, 271 Wis. 2d 1 ¶ 27. The statute does not lay out the degree of weight to be assigned to each factor, and only requires that a trial court give "adequate consideration of and weight to each factor." *Margaret H.*, 2002 WI 42 ¶ 35.

J.D.C. Jr. proffered two placement alternatives at disposition: the paternal grandmother, L.R., and the paternal great-grandmother, V.R. L.R. had placement of C.M.M. at the beginning of the case, but she gave up placement in favor of C.M.M. being with her siblings, (R. 89: 13–14), which was not objected to and not litigated, (*see* R. 67: 19), and L.R. stood by that decision after removal (R. 92: 65).

The great-grandmother, V.R., was a newly proposed placement, which the trial court's decision explored and denied as not being in C.M.M.'s best interests. (R. 101: 89, 105). Specifically, the trial court found that C.M.M. did not seem to have a very significant relationship with her at all. (R. 101: 89). J.D.C. Jr. suggests on appeal that the trial court's findings are unsupported by the record as to V.R., which is an inaccurate characterization

of the record. V.R. herself testified that C.M.M. and V.R. had a substantial and flourishing relationship, (R. 88: 42); however, V.R. admitted that she did not always get in touch with L.R to see C.M.M. during visits (R. 88: 43), and C.M.M.'s mother had never even seen C.M.M. and V.R. together, (R. 92: 29). During J.D.C. Jr.'s testimony, he discussed going to L.R.'s home during visit days and his sisters would be there, but never once did he mention V.R being present. (R. 88: 23) (R. 92: 86). The case manager testified that C.M.M. never talked about V.R. (R. 88: 32). The Court of Appeals agreed that J.D.C. Jr.'s argument as to V.R. is simply not supported by the record. *State v. J.D.C. Jr.*, slip op. p 8.

The trial court fully considered these options anew: L.R. voluntarily relinquished placement, and stood by that decision, believing that placement with siblings was in C.M.M.'s best interests, (R. 89: 13–14) (R. 92: 65); and V.R. had no meaningful relationship with C.M.M., so the trial rejected the placement finding that another change of placement would be harmful to C.M.M. (R. 101: 89, 105).

The trial court otherwise fully explored the standards required by law in Wis. Stat. § 48.426(3) and determined that terminating J.D.C. Jr.'s rights was in C.M.M.'s best interests. The trial court found that C.M.M. was in an adoptive resource that was committed to adoption, (R. 101: 95, 98); that there was nothing about C.M.M.'s age or health that presented a barrier to adoption, (R. 101: 98–99); and that C.M.M. was separated from her parents for slightly less than half of her life, and the memories C.M.M. had of her parents were not positive experiences. (R. 101: 95–96, 102–103). The trial court spend significant time discussing substantial relationships under Wis. Stat. § 48.426(3)(c), noting ultimately that any substantial relationships that did exist would continue by the demonstrated actions and commitment of the foster parents. (*See, e.g.*, R. 101: 96, 102–105). The trial court found that C.M.M.'s wishes were hard to gauge in such a complex circumstance, (R. 101:102); and that the key factor in the case was permanency and stability and sending the case back to the CHIPS phase to see whether alternatives could pan out was not in C.M.M.'s best interests. (R. 101: 103–105).

Who bears the burden of proof at disposition in a TPR proceeding, and to what evidentiary standard a child's best interest must be proven, is an issue in District I, and an issue this Court should resolve; however, that issue does not arise in this case with any specificity more than it has in any TPR proceeding in the State of Wisconsin. This issue is not likely to evade review, as it is a central issue to a pending case before this Court in *State v. A.G.* Perhaps most importantly, resolution of this issue would have no effect in J.D.C. Jr.'s case because the rejection of a dispositional alternative is not relevant to who bears the burden of proof, and to what evidentiary standard, in proving that TPR is in a child's best interests.

CONCLUSION

For the foregoing reasons, the Guardian ad Litem requests that this Court deny J.D.C. Jr.'s Petition for Review because the issue presented in his Petition is not at issue in his case, and resolution of the questions therein would not change the outcome of the underlying TPR proceedings.

Dated at Milwaukee, Wisconsin, this 31st day of October, 2022.

Respectfully submitted,

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CERTIFICATION AS TO FORM/LENGTH

I certify that this brief meets the form and length requirements of Rule 809.19(8)(b) and (c) in that it is: proportional serif font, minimum printing resolution of 200 dots per inch, 13 point body text, 11 point for quotes and footnotes, leading of minimum 2 points and maximum of 60 characters per line of body text. The length of the brief is 4,686 words.

Dated at Milwaukee, Wisconsin, this 31st day of October, 2022.

Signed:

Courtney L.A. Roelandts

COURTNEY L.A. ROELANDTS
SBN: 1101735
Guardian ad Litem for C.M.M.

CERTIFICATE OF COMPLIANCE WITH RULE 809.19(12)

I hereby certify that:

I have submitted an electronic copy of this brief, excluding the appendix, if any, which complies with the requirements of § 809.19(12). I further certify that:

This electronic brief is identical in content and format to the printed form of the brief filed on or after this date.

A copy of this certificate has been served with the paper copies of this brief filed with the court and served on all opposing parties.

Dated at Milwaukee, Wisconsin, this 31st day of October, 2022.

Signed:

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