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**FILED**  
**04-10-2026**  
**CLERK OF WISCONSIN**  
**SUPREME COURT**

# Supreme Court of Wisconsin



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No. 2026AP586-W    FOX V. CIRCUIT COURT FOR KENOSHA COUNTY    L.C.# 2021FA47

April 10, 2026

The Court, by its Clerk and Commissioners, has entered the following order:

On March 5, 2026, petitioner, Mathiew Rae Fox, pro se, filed a petition for a supervisory writ/writ of mandamus, pursuant to Wis. STAT. § (Rule) 809.70, and supporting appendix. Fox's petition asks this court to order the circuit court in Kenosha County Circuit Court Case No. 2021FA47 to issue a written and signed order ruling on a motion Fox filed with the circuit court and to further order the circuit court to enforce a preexisting child placement order. Fox notes that he presently has an appeal pending before the court of appeals, Appeal No. 2025AP2492, in which he has sought similar relief. On March 12, 2026, Fox filed a motion to supplement the record with certain filings and docket entries from the underlying circuit court case, along with a supplemental appendix containing said documents. On April 9, 2026, Fox filed a document captioned "Emergency Motion to Supplement Writ Record for Temporary Relief, and To Direct Prompt Hearing and Written Order." Fox's April 9 filing asks the court to take judicial notice of and supplement the record with additional filings and docket entries from the underlying circuit court proceeding and to provide him with emergency temporary relief of a similar nature to that sought in his petition.

Having considered the above,

IT IS ORDERED that the petition for a supervisory writ/writ of mandamus is dismissed. To the extent Fox seeks relief that he is already seeking in the court of appeals, the petition essentially seeks review of the court of appeals' handling of the underlying case and is premature. The Supreme Court will not exercise its supervisory jurisdiction where there is an adequate alternative remedy, nor will it be exercised to review a discretionary act of a lower court. *State ex rel. Dressler v. Circuit Court for Racine County*, 163 Wis. 2d 622, 472 N.W.2d 532 (Ct. App. 1991); *In Interest of A.R.*, 85 Wis. 2d 444, 270

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N.W.2d 581 (1978). Upon a final decision by the court of appeals, Fox will be able to file a petition for review in this court raising any asserted errors.

To the extent Fox is seeking relief from this court that he has not previously sought in the court of appeals, pursuant to WIS. STAT. § (Rule) 809.71(1), “[a] person seeking a supervisory writ from the supreme court shall first file a petition for a supervisory writ in the court of appeals under s. 809.51 unless it is impractical to seek the writ in the court of appeals” and “[a] petition in the supreme court shall show why it was impractical to seek the writ in the court of appeals or, if a petition had been filed in the court of appeals, the disposition made and reasons given by the court of appeals.” *See also Judicial Council Committee’s Note, 1981* to WIS. STAT. § (Rule) 809.71 (“Unless the court of appeals is itself the object of the supervisory writ, usually there is an adequate alternate remedy of applying to the court of appeals under Rule 809.51 for the supervisory writ”). Fox has not satisfied this provision.

IT IS FURTHER ORDERED that all remaining requests for relief are denied as moot.

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Samuel A. Christensen  
Clerk of Supreme Court

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