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CLERK OF WISCONSIN
SUPREME COURT



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Supreme Court of Wisconsin

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August 29, 2024

To:

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Circuit Court Judge
Electronic Notice

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You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

Nos. 2022AP1592
2022AP1662

MacMillan v. Carr, L.C.#2022CV1780
L.C.#2022CV2143

By order dated April 17, 2024, the court denied petitioner-appellant-petitioner, Jeffrey G. MacMillan's pro se petition for review in the above-captioned matter "without costs." The court now has received a "Motion for Contempt" filed August 20, 2024, by MacMillan. In the motion, MacMillan requests the court hold the clerk of court in contempt and asks for the "immediate return of costs paid." Specifically, MacMillan seeks a refund of the \$195.00 filing fee paid in connection with the filing of his petition for review and interprets the "without costs" language on the April 17, 2024 order as requiring the clerk to refund said filing fee.

MacMillan is mistaken. The "without costs" language on the April 17, 2024 order relates to any costs allowed by the court to be taxed against parties pursuant to Wis. Stat. § 809.25(1) upon disposition of the case. Filing fees are a separate matter. By statute, the clerk of court is directed to charge filing fees. See Wis. Stat. § 809.25(2). The filing fee for a petition for review

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is \$195.00. See Wis. Stat. § 809.25(2)(a)1. This court's February 16, 2024 acknowledgement of the filing of MacMillan's petition for review informed him, inter alia, that "the \$195.00 filing fee required under Rule 809.25(2)(a)1, Rules of Appellate Procedure, is not refundable and does not ensure that the petition will be granted." Accordingly,

IT IS ORDERED that the motion is dismissed.

Samuel A. Christensen
Clerk of Supreme Court