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Supreme Court of Wisconsin

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CLERK OF WISCONSIN

SUPREME COURT

April 7, 2025

To:

Hon. Mark T. Slate
Circuit Court Judge
Electronic Notice

Katrina Rasmussen
Clerk of Circuit Court
Waushara County Courthouse
Electronic Notice

Emilia R. Janisch
Electronic Notice

Lori M. Lubinsky
Electronic Notice

Luke Joseph
917 S. Oakwood Street
Hancock, WI 54943

Mark Joseph
S6075 County Road T
Viroqua, WI 54665

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

No. 2023AP2162

Joseph v. Zuehlke, L.C. #2022CV154

On February 27, 2025, the court of appeals issued a decision in Joseph v. Zuehlke, No. 2023AP2162, summarily affirming the circuit court's decision dismissing Mr. Joseph's claims against Waushara County and various county officials. On March 18, 2025, Mr. Joseph filed a "Demand for a Redress of Grievance" in this court relating to the same subject matter as the aforementioned case. By order dated March 20, 2025, this court construed Mr. Joseph's document as a timely, but nonconforming, petition for review pursuant to Wis. Stat. § 809.62, and directed Mr. Joseph to submit a conforming statement in support of the petition by April 3, 2025.

On March 31, 2025, Mr. Joseph filed a document entitled "Demand for Correction," in which he explained that he did not intend his March 18, 2025 filing to be a petition for review, but instead a separate action "against the same parties." In response to Mr. Joseph's March 31, 2025 filing, and by order issued April 1, 2025, this court construed Mr. Joseph's March 18, 2025 filing as a petition for leave to commence an original action and directed the clerk to open a new case number for that filing. In that order, we further directed the clerk to vacate the entry

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identifying the March 18, 2025 filing as a petition for review in Case No. 2023AP2162. Mr. Joseph's March 18, 2025 filing is now pending before the court as Case No. 2025AP0663.

Also on March 31, 2025, Mr. Joseph mailed a document captioned "Nonconforming to fees for Justice and petition for review." That document was received and filed by the clerk on April 3, 2025, as a petition for review. In that document, Mr. Joseph now states that "I am appealing case number 2023AP2162," but also that he wants the court to "look rightly at this case for what it truly is; constitutional jurisdiction and not a statute 809 jurisdiction." Mr. Joseph also objects to paying the required \$195.00 filing fee for a petition for review. To the extent that Mr. Joseph intended for his April 3, 2025 filing to constitute a petition for review in Case No. 2023AP2162, the petition is untimely, as it was filed more than 30 days after the court of appeals' decision was issued. See Wis. Stat. § (Rule) 808.10(1); First Wisconsin National Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 364-66, 274 N.W.2d 704 (1979).

IT IS ORDERED that the petition for review filed by Luke Joseph on April 3, 2025 is dismissed as untimely; and

IT IS FURTHER ORDERED that the court's decision on Case No. 2025AP0663 will issue in due course.

Samuel A. Christensen
Clerk of Supreme Court