

**COURT OF APPEALS
DECISION
DATED AND FILED**

April 26, 2001

Cornelia G. Clark
Clerk, Court of Appeals
of Wisconsin

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

No. 00-1906

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

SUSAN BAUER,

PETITIONER-APPELLANT,

V.

DEFOREST/WINDSOR MUNICIPAL COURT,

RESPONDENT-RESPONDENT,

VILLAGE OF DEFOREST

INTERVENOR.

APPEAL from an order of the circuit court for Dane County:
DIANE M. NICKS, Judge. *Affirmed.*

Before Vergeront, Roggensack and Deininger, JJ.

¶1 PER CURIAM. Susan Bauer, pro se, appeals the circuit court's order denying her petition for a writ of mandamus. She sought an order compelling the municipal court to waive transcript fees under WIS. STAT. § 814.29 (1999-2000)¹ in relation to her appeal of an adverse municipal court judgment. We affirm.

¶2 The circuit court denied Bauer's petition for writ of mandamus because it concluded that Bauer's claims were barred by the doctrine of issue preclusion. "Issue preclusion forecloses relitigation in a subsequent action of an issue of law or fact that has been actually litigated and decided in a prior action." *Jensen v. Milwaukee Mut. Ins. Co.*, 204 Wis. 2d 231, 235, 554 N.W.2d 232 (Ct. App. 1996). The circuit court concluded that Bauer had previously brought mandamus actions to compel the municipal court to waive fees and costs in relation to the same municipal action and that the petitions were denied.

¶3 Bauer contends that the transcript fee waiver issue has not been previously litigated. She has not, however, included documents from the prior circuit court cases in the appellate record. The appellant bears the burden of ensuring that the record is sufficient to review the issues raised on appeal. *State Bank of Hartland v. Arndt*, 129 Wis. 2d 411, 423, 385 N.W.2d 219 (Ct. App. 1986). When an appeal is brought on an incomplete record, we will assume that every fact essential to sustain the circuit court's decision is supported by the record. *Id.* Because Bauer has failed to include documents to substantiate her claim that the transcript fee waiver issue was not previously decided, the circuit court's order must be affirmed.

¹ All references to the Wisconsin Statutes are to the 1999-2000 version unless otherwise noted.

By the Court.—Order affirmed.

This opinion will not be published. WIS. STAT. RULE 809.23(1)(b)5.

