COURT OF APPEALS
DECISION
DATED AND FILED

July 5, 2007

David R. Schanker
Clerk of Court of Appeals

Appeal No. 2005AP3021 **Cir. Ct. No. 2005FO575**

STATE OF WISCONSIN **IN COURT OF APPEALS**
DISTRICT IV

CITY OF JANESVILLE,

PLAINTIFF-RESPONDENT,

V.

K. ANDREAH BRIARMOON,

DEFENDANT-APPELLANT.

APPEAL from a judgment and an order of the circuit court for Rock County: MICHAEL J. BYRON, Judge. *Affirmed.*

¶1 HIGGINBOTHAM, J.[1] K. Andreah Briarmoon appeals a January 2006 judgment and order which required her to pay costs to the City of Janesville related to this action. We affirm.

BACKGROUND

¶2 The following facts are not in dispute. In November 2005, Briarmoon was convicted by a jury of violating 518 counts (one count per day) of Janesville General Ordinance 16.08.320 G., as a result of her failure to provide two safe and unobstructed exits to a residential dwelling.

¶3 The trial court entered judgment against Briarmoon in accordance with the jury verdict, and ordered Briarmoon to pay "court costs, fees, assessments, penalties, surcharges and other amounts thereon, as required by law, upon one $25.00 count in the amount of [$125.00]," with a total forfeiture of $13,075.00. As "Alternative Relief," the court ordered that Briarmoon would not be required to pay the $13,075.00 forfeiture but would only have to pay the City "its costs, fees and expenses for this action in an amount to be determined later" if she installed a legally sufficient second exit in compliance with the ordinances and took other specified steps related to filing plans, securing permits, and passing inspection. The "Alternative Relief" language in the order mirrored that proposed by the City's Motion to Impose Penalties filed with the court following Briarmoon's conviction.

[1] This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(b) (2005-06). All references to the Wisconsin Statutes are to the 2005-06 version unless otherwise noted.

¶4 The terms of the Alternative Relief agreement and order were reviewed by the court and parties at a December 5, 2005 sentencing hearing and discussed again at hearings held on January 10, January 30, and February 23, 2006. During the January 10 hearing, the court and the parties discussed the costs that Briarmoon would still owe the City under the Alternative Relief agreement and order, with Briarmoon stating her understanding that she would only owe around $129. During the January 30 hearing, a dispute between the parties regarding what type of costs Briarmoon would be responsible for under the Alternative Relief agreement began to surface, with Briarmoon disputing she owed more than $125, arguing that she never would have agreed to additionally pay itemized city costs of an undetermined amount, and which exceeded $12,000.

¶5 At the February 23 hearing, the City agreed that the terms of the Alternative Relief agreement had been met in part by Briarmoon's completion of the second exit. However, the City claimed that under the Alternative Relief agreement and order, Briarmoon still owed approximately $11,000 for costs. The court, apparently unhappy with the amount of the claimed costs, expressed confusion about how to proceed, signaled to Briarmoon that an appeal would be appropriate, and stayed the fine pending appeal, asking the parties,

> Now, what do we do? Now it said -- there is no meeting of the minds. There is no agreement. I shouldn't have participated in the agreement in the first place probably, but we've got a mess. And the appellate court will probably send it back and say, you should have done this, you should have done that, this isn't anything you could do on an ordinance violation, and you let the parties get you to use the power of the court to collect money, for lack of a better explanation.
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> ….
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> The court's only upset is, I think, I feel somewhat in regard to this -- well, if she complies with the code enforcement, I

> feel somewhat used in that regard. And I made a mistake that I won't make again. I'm not going to engage in any bargaining or try to get people to act sensibly rather than nonnsensibly, because I guess I don't have the authority to do that.

¶6 Taking her cues from the circuit court, Briarmoon appealed.

DISCUSSION

¶7 Briarmoon's chief appellate brief consists of a number of assertions, each consisting of a conclusory sentence or two, with no reference to record citations or legal authority, and no analysis to support her contentions. Because Briarmoon fails to develop any argument, let alone make a coherent one, we reject the arguments she does make. *See* ***State v. Pettit***, 171 Wis. 2d 627, 647, 492 N.W.2d 633 (Ct. App. 1992).

¶8 Briarmoon first makes a series of conclusory claims about the City's actions, including that the City (1) unconstitutionally failed to comply with a just compensation "relocation-expense" requirement and to honor "the grandfather clause," which resulted in "inverse condemnation and regulatory taking"; (2) unconstitutionally enacted a fine ordinance without a cap, resulting in a punishment exceeding constitutional fairness protections; and (3) illegally changed its mind about a promise to forgive a citation fine. She also makes similarly conclusory claims about the lower court's actions, namely that the judge erroneously failed to hold the City to its original agreement, and improperly allowed the City to change the proposed judgment without giving Briarmoon a copy for review and correction.

¶9 The other arguments Briarmoon makes are similarly conclusory and undeveloped, consisting of the statements that (1) "local ordinance loopholes that

allow city employee courtroom technicality shenanigans" did not give the judge the right to impose an "unconstitutionally outrageous fine"; (2) citizens who are not wealthy have protected citizenship rights, and defendant was entitled to a court appointed attorney and law firm, especially in the face of taxpayer resources being used to pursue this action against her (which she describes as "harassment"); (3) the city administrator did not have the right to enforce the law in a manner that created an unnecessary hardship on her; was contrary to the intent of the law, common sense, the best interest of the public; violated Chapter 62; and "clobbered" her "for standing up against "immoral, unethical, unconstitutional local practices and procedures by city administration employees"; and (4) charges against her were unconstitutionally changed after her not-guilty plea and after the beginning of the trial.

¶10 Because Briarmoon's brief contains no record citations, no analysis explaining how her claims are specifically supported by any legal authority, and no argument beyond conclusory broad statements, we cannot reach the merits of this case. While we do grant some leniency to pro se litigants, we cannot go so far as to make a pro se appellant's arguments for her. *See* ***Waushara County v. Graf***, 166 Wis. 2d 442, 452, 480 N.W.2d 16 (1992). In this case, without Briarmoon providing any supporting citations or analysis to accompany her undeveloped claims, we consequently decline to reach her inadequately briefed arguments. *See* ***Pettit***, 171 Wis. 2d at 647. We affirm.

By the Court.—Judgment and order affirmed.

This opinion will not be published. *See* WIS. STAT. RULE 809.23(1)(b)4.