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**WISCONSIN COURT OF APPEALS**

110 EAST MAIN STREET, SUITE 215  
P.O. BOX 1688  
MADISON, WISCONSIN 53701-1688  
Telephone (608) 266-1880  
TTY: (800) 947-3529  
Facsimile (608) 267-0640  
Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT IV**

April 8, 2021

To:

Hon. Elliott M. Levine  
Circuit Court Judge  
La Crosse County Courthouse  
333 Vine St.  
La Crosse, WI 54601

Pamela Radtke  
Clerk of Circuit Court  
La Crosse County Courthouse  
333 Vine St., Rm. 1200  
La Crosse, WI 54601

Lee J. Fehr  
Law Office  
205 Green Street  
Onalaska, WI 54650-3329

Chase Elden Miller  
W4080 Gills Coulee Road  
West Salem, WI 54669

Jinhua Zhu

You are hereby notified that the Court has entered the following opinion and order:

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2019AP1514

In re the marriage of: Chase Elden Miller v. Jinhua Zhu  
(L.C. # 2018FA439)

Before Fitzpatrick, P.J., Blanchard, and Nashold, JJ.

**Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. Rule 809.23(3).**

Jinhua Zhu, pro se, appeals a divorce judgment. She argues that the circuit court erred with respect to the property division. Based upon our review of the briefs and the record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1) (2019-20).<sup>1</sup> We affirm.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

“The division of property in a divorce action is within the circuit court’s discretion.” *Waln v. Waln*, 2005 WI App 54, ¶7, 280 Wis. 2d 253, 694 N.W.2d 452. The circuit court must start with the presumption that all of the parties’ property that is subject to division will be divided equally. WIS. STAT. § 767.61(3); *Settipalli v. Settipalli*, 2005 WI App 8, ¶12, 278 Wis. 2d 339, 692 N.W.2d 279. However, the circuit court may deviate from that presumption after considering relevant statutory factors. *See* § 767.61(3); *Settipalli*, 278 Wis. 2d 339, ¶12. “The weight to be given to those factors is within the discretion of the [circuit] court.” *Settipalli*, 278 Wis. 2d 339, ¶12.

“We review a discretionary decision only to determine whether the [circuit] court examined the facts of record, applied a proper legal standard, and, using a rational process, reached a reasonable conclusion.” *State v. Hamm*, 146 Wis. 2d 130, 145, 430 N.W.2d 584 (Ct. App. 1988). “The question is not whether we agree with the [circuit] court’s decision but whether appropriate discretion was exercised.” *Id.* at 145-46.

Zhu argues that the circuit court erred by awarding real estate solely to her now ex-husband, Chase Miller, without awarding her half of the value of the real estate. She bases this argument on what appear to be quit claim deeds Miller signed shortly after the parties were married. Zhu asserts, as we understand it, that these quit claim deeds converted the real estate that Miller brought to the marriage into jointly owned property. She argues that the circuit court ignored the quit claim deeds and that the court failed to list the real estate as jointly owned in the divorce judgment.

We are not persuaded by Zhu’s arguments based on the quit claim deeds. First, the record reflects that the circuit court received the quit claim deeds into evidence at the divorce

hearing and, therefore, was aware of them. Second, and more importantly, the record supports a conclusion that the court treated the real estate as part of the parties' joint property but exercised its discretion to divide the parties' property unequally. In doing so, the court awarded the real estate entirely to Miller. The court based this unequal property division on relevant statutory factors, finding that two factors were particularly significant: (1) the length of the marriage, which was approximately nine months,<sup>2</sup> and (2) the property brought to the marriage by each party. *See* WIS. STAT. § 767.61(3)(a) and (b) (listing these factors as among the factors for the court to consider). Zhu does not show that the unequal division of property based on these relevant statutory factors was an unreasonable exercise of the circuit court's discretion.

Zhu may mean to argue that the circuit court made an error of fact or law by stating in the divorce judgment that the real estate was "titled" in Miller's name. She may be contending that this statement was contrary to the quit claim deeds. We need not decide whether this contention has merit because Zhu gives us no reason to believe that the circuit court based the unequal property division on the titling of the real estate. Rather, as we have stated, the record reflects that the court based the unequal property division on other factors set forth in WIS. STAT. § 767.61, the applicable statute that governs the division of property at divorce.

Alternatively, Zhu may mean to argue that the circuit court made an error of law because the quit claim deeds were "written agreements" that required the court to divide the real estate

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<sup>2</sup> The petition for divorce was filed approximately two months after the parties were married.

equally pursuant to WIS. STAT. § 767.61(3)(L).<sup>3</sup> If that is Zhu’s argument, she fails to sufficiently develop it, and we reject it on that basis. See *State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (The court of appeals need not consider inadequately developed arguments.). We also note that we are not aware of legal authority that would support this argument.

We turn finally to an argument Zhu makes that does not depend on the quit claim deeds. Zhu argues that the circuit court “did nothing” to account for various alleged misdeeds by Miller that, according to Zhu, included perjury, contempt, abuse, causing medical bills, and placing a GPS tracker on Zhu’s vehicle. This argument, like the argument addressed in the previous paragraph, is not well developed. It does not persuade us that the circuit court erroneously exercised its discretion with respect to the property division. The same is true for any other arguments Zhu makes that we have not expressly addressed in this opinion. See *Libertarian Party of Wis. v. State*, 199 Wis. 2d 790, 801, 546 N.W.2d 424 (1996) (An appellate court need not address arguments that “lack sufficient merit to warrant individual attention.”).

In sum, Zhu does not develop any supported argument showing that the circuit court erroneously exercised its discretion by dividing the parties’ property unequally and awarding the real estate to Miller as part of that unequal property division.

Therefore,

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<sup>3</sup> WISCONSIN STAT. § 767.61(3)(L) provides that one of the factors to consider in property division upon divorce is “[a]ny written agreement made by the parties before or during the marriage concerning any arrangement for property distribution.” Section 767.61(3)(L) further provides: “[S]uch agreements shall be binding upon the court except that no such agreement shall be binding where the terms of the agreement are inequitable as to either party. The court shall presume any such agreement to be equitable as to both parties.”

IT IS ORDERED that the circuit court's judgment is summarily affirmed pursuant to WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*