

**COURT OF APPEALS
DECISION
DATED AND FILED**

May 17, 2011

A. John Voelker
Acting Clerk of Court of Appeals

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.

Appeal No. 2010AP437

Cir. Ct. No. 2007FA5036

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT I**

MELINDA F. MULARSKI,

PETITIONER-RESPONDENT,

v.

MICHAEL J. MULARSKI,

RESPONDENT-APPELLANT.

APPEAL from an order of the circuit court for Milwaukee County:
MICHAEL J. DWYER, Judge. *Affirmed.*

Before Curley, P.J., Kessler and Brennan, JJ.

¶1 PER CURIAM. Michael J. Mularski, *pro se*, appeals the circuit court's order deciding contempt motions brought by him and his former wife Melinda Mularski. The circuit court found neither party in contempt, and ordered

Michael to pay Melinda \$1012.25 to resolve various financial matters between them that had arisen since their divorce. We affirm.

¶2 Michael argues that the circuit court used the wrong figures for calculating the amount he needed to pay Melinda to equalize between them a tax return he received. The circuit court used figures from a hypothetical tax return, rather than an actual tax return, because the actual tax return figures were higher due to money Michael's father gave to Michael to repay a 401(k) loan, which then had to be returned to Michael's father when the tax return was received. The parties do not dispute the circuit court's use of a hypothetical return, but they each presented a hypothetical return with different figures. Michael contends the circuit court should not have used the figures presented by Melinda, and claims the circuit court stated "I have no doubt that this return is not correct, but I'm going to use it anyway." However, Michael has not provided us with a copy of the circuit court's oral decision. Our review is limited to those parts of the record available to us. *Jocius v. Jocius*, 218 Wis.2d 103, 119, 580 N.W.2d 708 (Ct. App. 1998). Because Michael has failed to provide us with a transcript of the circuit court's decision, we are unable to review this issue on the merits. Therefore, we reject this argument.

¶3 Michael argues that the circuit court should not have awarded the full value of a piano, sold for \$200, to Melinda. Michael's argument is difficult to discern; he appears to argue that although the piano was Melinda's property, he stored it in his garage for over a year after the divorce and was thus entitled to the sale proceeds because Melinda did not timely pick it up. The circuit court concluded that Melinda was entitled to the sale proceeds. Michael's argument is difficult to follow and includes no citations to legal authority or the record. Because the issue is inadequately briefed, we will not consider it further. *See*

Roehl v. American Family Mut. Ins. Co., 222 Wis. 2d 136, 149, 585 N.W.2d 893
(Ct. App. 1998).

By the Court.—Order affirmed.

This opinion will not be published. See WIS. STAT. RULE
809.23(1)(b)5. (2009-10).

