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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

DISTRICT IV

January 19, 2024

To:

Hon. Nia E. Trammell
Circuit Court Judge
Electronic Notice

William Stephen Lush II
540 W. Olin Ave., Apt. 307
Madison, WI 53715

Carlo Esqueda
Clerk of Circuit Court
Dane County Courthouse
Electronic Notice

NWCULAW
2151 River Plaza Dr., Ste. 306
Sacramento, CA 95833

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

2023AP122

William Stephen Lush, II v. NWCULAW (L.C. # 2009CV4113)

Before Blanchard, Graham, 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).

Stephen Lush, pro se, appeals a circuit court order denying his motion to seal documents in the court's case file. The respondent has not filed a respondent's brief.¹ We previously ordered this appeal submitted for review based solely upon Lush's brief and the record. We now conclude that the appeal may be decided based upon his brief and the record. Further, based on

¹ The respondent filed a statement informing this court that it would not be filing a brief because its interests are not affected by the issues raised in Lush's brief.

our review of the brief and the record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1) (2021-22).² We affirm.

In 2009, Lush filed a summons and complaint against the respondent, a law school. He alleged a breach of contract based on the law school's rejection of his application. The circuit court dismissed the action. Approximately thirteen years later, Lush filed his motion to seal, which argued that the court's file contained inaccurate information.³ The court denied the motion as lacking a sufficient legal basis.

Court records are open to public inspection, with limited exceptions. *State ex rel. Bilder v. Township of Delavan*, 112 Wis. 2d 539, 553-56, 334 N.W.2d 252 (1983). The motion Lush filed in the circuit court does not develop an argument showing that any of these exceptions apply in the circumstances here. Nor does he develop any such argument on appeal. Accordingly, we affirm the circuit court's order denying the motion. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (explaining that the court of appeals need not consider undeveloped arguments); WIS. STAT. § 801.21(2) (providing that a party's motion to seal "shall specify the authority for asserting that the information should be restricted from public access").

Therefore,

² All references to the Wisconsin Statutes are to the 2021-22 version.

³ Lush filed a motion and an amended motion. Both filings contain similar allegations. Because it is not clear whether Lush intended the amended motion to replace or supplement his initial motion, we have considered both.

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

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

Samuel A. Christensen
Clerk of Court of Appeals