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DISTRICT II

May 1, 2024

To:

Hon. Michael P. Maxwell
Circuit Court Judge
Electronic Notice

Johnathan G. Woodward
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

John D. Puchner
Electronic Notice

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

2023AP387

Petitioner v. John D. Puchner (L.C. #2022CV871)

Before Neubauer, Grogan and Lazar, 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).

John D. Puchner, pro se, appeals from the circuit court's order denying his petition for waiver of transcript fees. Puchner contends that the circuit court erred in denying his petition. Based upon our review of the briefs and Record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2021-22).¹ We affirm.

¹ All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

Puchner petitioned the circuit court for free transcripts pursuant *State ex rel. Girouard v. Circuit Ct. for Jackson Cnty.*, 155 Wis. 2d 148, 159, 454 N.W.2d 792 (1990), which provides that a litigant is entitled to free transcripts on appeal of a civil case when the litigant establishes both indigency and that his or her appeal states a claim upon which relief can be granted. Puchner sought the transcripts to pursue appeal No. 2022AP1318, which is taken from Waukesha County Circuit Court Case No. 2019FA89.

Puchner petitioned for transcripts in the wrong case. The underlying case here, Waukesha County Circuit Court Case No. 2022CV871, commenced when the petitioner sought an injunction for harassment against Puchner. Puchner sought free transcripts to pursue appeal No. 2022AP1318, which is taken from Waukesha County Circuit Court Case No. 2019FA89, and is not related to the underlying circuit court case here. The circuit court explained that it denied Puchner’s petition because he sought “free transcripts in the above captioned appeal (2022AP1318)” but “there is no appeal 2022AP1318 related to this matter.” Because Puchner petitioned for transcripts in the wrong case, the circuit court properly denied his petition.

IT IS ORDERED that the order of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals