COURT OF APPEALS DECISION DATED AND RELEASED

September 30, 1996

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. *See* § 808.10 and RULE 809.62, STATS.

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

No. 95-1547

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

In re the Paternity of
KAILYN E.M.:

DANIEL V.,

Petitioner-Appellant,

v.

DEBIE M.,

Respondent-Respondent.

APPEAL from an order of the circuit court for Dane County: ROBERT DE CHAMBEAU, Judge. *Affirmed*.

Before Vergeront, J., and Paul C. Gartzke and Robert D. Sundby, Reserve Judges.

PER CURIAM. Daniel V. appeals from a March 7, 1995 order imposing a permanent injunction prohibiting him from going upon the grounds of Emerson Elementary School, Madison, Wisconsin, or from positioning

himself so that he is visible from any point on Emerson's grounds. The order also prohibits contact with various Emerson Elementary School personnel. Finally, the order indefinitely suspends physical placement between Daniel V. and his daughter, Kailyn M. For the reasons set forth below, we affirm.

BACKGROUND

When Kailyn M. began kindergarten at Emerson Elementary School in fall 1994, her father, Daniel V., began to visit her in school. As the circuit court later found, Daniel V. availed himself of the school's open door policy to gain additional visitation with Kailyn M. He visited often, "hovering" over her in class, interacting with her on the playground, and eventually coming into conflict with Kailyn M.'s teacher and the school principal. Daniel V.'s behavior resulted in a September 30, 1994 arrest on school grounds, and a January 27, 1995 police order to leave the school grounds. Kailyn M. reacted to Daniel V.'s presence by crying, hiding from him, and pulling at her face and hair.

On January 12, 1995, Daniel V. brought an order to show cause, alleging that he was being wrongfully denied visitation with Kailyn M. On January 31, Kailyn M.'s guardian ad litem brought an order to show cause, alleging that Daniel V. was disrupting Kailyn M. at school, and requesting a temporary injunction. The court considered both orders at a February 14, 1995 hearing and issued the April 7, 1995 injunction against Daniel V., which is here appealed.

ANALYSIS

Daniel V. claims the circuit court order violates his constitutional rights of liberty and pursuit of happiness because it undermines his parental rights. He also claims the order violates his right to petition government because it prohibits him from contacting school personnel, and from being

within viewing distance of Emerson Elementary School. However, Daniel V. fails to substantiate his arguments with citations to the record or to law.[1]

It is not the job of the court of appeals to supply argument and legal research to an appellant who raises unsupported claims. *Cf.* ***State v. Waste Management of Wisconsin, Inc.***, 81 Wis.2d 555, 564, 261 N.W.2d 147, 151 (1978) ("[a]n appellate court is not a performing bear, required to dance to each and every tune played on appeal"). In addition, we will generally not consider arguments unsupported by legal authority. ***State v. Shaffer***, 96 Wis.2d 531, 545-46, 292 N.W.2d 370, 378 (Ct. App. 1980). Finally, an appellate argument unsupported by proper cites to the record does not comply with § 809.19(1)(e), STATS., and this court will refuse to consider it, or will summarily affirm on this issue. RULE 809.83(2), STATS; ***Shaffer***, 96 Wis.2d at 546, 292 N.W.2d at 378.

In addition, Daniel V. has failed to supply this court with a transcript. He attempted to obtain a free transcript under ***Girouard v. Circuit Court for Jackson County***, 155 Wis.2d 148, 157, 454 N.W.2d 792, 796 (1990). However, the circuit court held that he failed to prove indigency and that his appeal had no merit. Daniel V. has not appealed the circuit court's ***Girouard*** determination, and it is therefore not at issue. Where there is no transcript, the court will assume that every fact essential to the trial court decision is supported by the record. ***Austin v. Ford Motor Co.***, 86 Wis.2d 628, 641, 273 N.W.2d 233, 239 (1979).

By the Court.—Order affirmed.

This opinion will not be published. *See* RULE 809.23(1)(b)5, STATS.

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[1] Other than vague constitutional catch phrases, Daniel V. fails to identify any legal source for his contentions. Further, despite his constitutional arguments, he fails to cite any particular constitution or constitutional section.