



OFFICE OF THE CLERK  
**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 II**

April 30, 2014

To:

Hon. J. Mac Davis  
Circuit Court Judge  
Waukesha County Courthouse  
515 W. Moreland Blvd.  
Waukesha, WI 53188

Kathleen A. Madden  
Clerk of Circuit Court  
Waukesha County Courthouse  
515 W. Moreland Blvd.  
Waukesha, WI 53188

Richard E. Nell  
Nell & Associates SC  
P.O. Box 5933  
De Pere, WI 54115

Sandra Baumgartner  
Daniel Storm  
P.O. Box 5325  
Elm Grove, WI 53122

Nikki Lee  
3131 Trillium  
Oxford, MI 48371

Beverly Ann Seymour  
P.O. Box 940  
Worthington, OH 43085

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

---

2013AP1721

Daniel Storm v. Henry C. Rahr (L.C. # 2013CV1348)

Before Neubauer, P.J., Reilly and Gundrum, JJ.

Daniel Storm, pro se, appeals from an order dismissing his complaint for failure to state a claim upon which relief can be granted. 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 (2011-12).<sup>1</sup> We affirm.

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

Storm filed a civil complaint asserting six causes of action: conspiracy to violate civil rights, wanton infliction of emotional distress, witness tampering and/or intimidation, breach of contract, theft of electronic media, and conversion. The Rahrs, by counsel, filed a motion to dismiss the complaint. Minutes before the scheduled motion hearing, Storm filed a response. The trial court struck Storm's response as untimely and granted the motion to dismiss, concluding that it would "take a heck of a puzzle master to figure out what the heck the claims are." The court determined that even taken in the light most favorable to Storm, the allegations failed to comprise a cause of action and ordered the case "dismissed in its entirety under the law."

On appeal, Storm asserts that "The Complaint should not have been summarily dismissed and the circuit court erred." In support, he contends that the complaint is not "fatally flawed, as the Rahrs argued, because of technical irregularities, such as the Appellants not having their phone numbers listed or physical address...." We are not persuaded. The trial court dismissed after concluding that the complaint failed to state a claim, not due to any "technical irregularities," and Storm has neither developed any legal theory nor provided supporting citations to establish that the trial court erred.<sup>2</sup> See WIS. STAT. RULE 809.19(1)(e). To decide Storm's arguments, we would first have to develop them. See *State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (brief so lacking in organization and substance that to decide the appellate issues, we would first have to develop them). We decline to consider

---

<sup>2</sup> The single legal citation in Storm's argument provides that "[t]he courts are further required to give a wider latitude to pro se litigants under the rigors of *Haines v. Kerner*, 404 U.S. 519 (1972)." While they may be granted some leeway, pro se litigants are generally bound to the same appellate rules as attorneys. See *Waushara Cnty. v. Graf*, 166 Wis. 2d 442, 452, 480 N.W.2d 16 (1992). Self-representation is not a license to avoid or ignore the relevant procedural and substantive law. *Id.*

Storm's unexplained and undeveloped arguments because to do so would require this court to abandon its neutrality. *See State v. Gulrud*, 140 Wis. 2d 721, 730, 412 N.W.2d 139 (Ct. App. 1987).

We likewise decline to consider Storm's undeveloped argument that the trial court "erred in not ordering [Storm] to amend the complaint or otherwise cure defects alleged by [the Rahrs]." Here, Storm merely inserts the text of WIS. STAT. § 802.06, which is irrelevant to the pleading amendment procedure. Storm fails to articulate discernable issues or provide relevant legal citations.<sup>3</sup> We will not abandon our neutral role to perform Storm's function.

Upon the foregoing reasons,

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

---

*Diane M. Fremgen*  
*Clerk of Court of Appeals*

---

<sup>3</sup> To the extent we do not address one of Storm's arguments, that argument is deemed rejected. *See State v. Waste Mgmt. of Wis., Inc.*, 81 Wis. 2d 555, 564, 261 N.W.2d 147 (1978).