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**DISTRICT III**

September 23, 2014

To:

Hon. J. Michael Bitney  
Circuit Court Judge  
Barron County Justice Center  
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Barron, WI 54812

Sharon Millermon  
Clerk of Circuit Court  
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Geoffrey M. Bengtson  
N2560 County Road C  
Elmwood, WI 54740

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

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2013AP2766

Village of Turtle Lake v. Geoffrey M. Bengtson  
(L. C. #2013CV476)

Before Hoover, P.J.<sup>1</sup>

Geoffrey M. Bengtson, pro se, appeals the dismissal of a WIS. STAT. § 800.14 appeal from a municipal court judgment. On November 6, 2013, Bengtson was found guilty in Turtle Lake Municipal Court of two civil forfeitures for operating after suspension and operating a motor vehicle without insurance. Bengtson filed his notice of appeal to the circuit court in a timely fashion and paid his filing fee; however, he failed to remit the total amount of the

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2). All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

forfeiture or execute a bond. As a result, the circuit court denied Bengtson's request for a new trial based on his failure to comply with statutory requirements.

Bengtson now appeals, but does not identify the circuit court order being appealed, advance any legal theories or arguments, or describe any circuit court error.<sup>2</sup> He does not state any issues in a form subject to appellate review. Based upon our review of the briefs and record, we conclude that this case is appropriate for summary disposition and we summarily affirm. *See* WIS. STAT. RULE 809.21.

On a defendant's appeal from a municipal court decision, WIS. STAT. § 800.14(2) requires the defendant execute a bond, with or without surety. Bengtson fails to show that he complied with this statutory requirement.<sup>3</sup> Bengtson insists a "payment arrangement" was made, with no further explanation or record support.

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<sup>2</sup> Bengtson's brief to this court concludes with a request for the following, in addition to dismissal of the case against him:

- (1) the return of \$36.00 Jury Trial fee for Turtle Lake Municipal Court
- (2) the \$180.50 for not giving me a complete new Trial by Jury in Barron County Circuit Court that I clearly had paid for under protest,
- (3) \$1.500.00 [sic] for my time and expense in preparing for this litigation,
- (4) a monetary value to be decided by the court [sic] the hardships that it has caused me and violating my Constitutional Rights,
- (5) I would also ask that this court hold these people accountable to their Oath to Office so that all the people can rest assured that their fundamental rights are guaranteed under the Constitution of Wisconsin and the United States of America.

<sup>3</sup> We agree with the Village's analysis regarding the process of appeal, in which the Village rightly asserts jurisdiction to review depends on compliance with "the method prescribed in the governing statute." *See Walford v. Bartsch*, 65 Wis. 2d 254, 258, 222 N.W.2d 633 (1974) (quoting *Mequon v. Bruseth*, 47 Wis. 2d 791, 794, 177 N.W.2d 852 (1970)). The Village does not dispute that Bengtson timely filed his notice of right to appeal and paid the appellate filing fee. However, as the Village correctly points out, Bengtson did not comply with the remaining statutory requirements and relevant rules of procedure, thereby resulting in a proper dismissal by the circuit court. Furthermore, Bengtson

(continued)

Pro se litigants are “bound by the same rules that apply to attorneys on appeal.” *Waushara Cnty. v. Graf*, 166 Wis. 2d 442, 452, 480 N.W.2d 16 (1992). Under WIS. STAT. RULE 809.19(1)(e), proper appellate advocacy requires an argument containing the contention of the party and the reasons therefore, with citations to authorities, statutes and that part of the record relied on. *See State v. Shaffer*, 96 Wis. 2d 531, 545-46, 292 N.W.2d 370 (Ct. App. 1980). Bengtson’s brief is devoid of legal reasoning and substance.<sup>4</sup> When an appellant fails to develop themes reflecting legal reasoning or to cite legal or factual authority, and relies only on general assertions of error, we generally decline to consider his or her arguments. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992).

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

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

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failed to submit a reply brief to this court, thereby relinquishing his arguments in favor of the Village’s. *See Charolais Breeding Ranches, Ltd. v. FPC Secs. Corp.*, 90 Wis. 2d 97, 109, 279 N.W.2d 493 (Ct. App. 1979) (arguments not refuted are deemed admitted).

<sup>4</sup> Bengtson’s argument section consists of two sentences, and there is no citation to the record, as required by WIS. STAT. RULE 809.19(1)(e). This court does not consider undeveloped arguments. *State v. S.H.*, 159 Wis. 2d 730, 738, 465 N.W.2d 238 (Ct. App. 1990).