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DISTRICT IV

November 21, 2014

To:

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

2013AP524

Kevin Corcoran v. Care WI Partnership (L.C. # 2012CV2388)

Before Blanchard, P.J., Lundsten and Sherman, JJ.

Kevin Corcoran appeals an order affirming a decision of the Division of Hearings and Appeals. 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).¹ We affirm.

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

The respondent Department of Health and Family Services argues that Corcoran did not first raise at the administrative hearing the issues he is arguing on appeal. The Department relies on familiar case law requiring litigants to do that. In reply, Corcoran does not appear to dispute that the issues he is currently arguing were not raised at the administrative hearing. While the circuit court exercised its discretion to address one of those unpreserved issues, we decline to do that. Therefore, we affirm on the basis that the issues currently argued have not been preserved.

IT IS ORDERED that the order appealed is summarily affirmed under WIS. STAT. RULE 809.21.

Diane M. Fremgen
Clerk of Court of Appeals