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**DISTRICT IV**

November 24, 2014

To:

Hon. Julie Genovese  
Circuit Court Judge  
Br. 13, Rm. 8103  
215 South Hamilton  
Madison, WI 53703

Thomas R. Bjornson

Erin C. Kaether

Carlo Esqueda  
Clerk of Circuit Court  
Room 1000  
215 South Hamilton  
Madison, WI 53703

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

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2013AP840

Erin C. Kaether v. Thomas R. Bjornson (L.C. # 2013CV772)

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

Thomas Bjornson appeals a harassment injunction. 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.

The appellant's brief contains various complaints about the outcome of the circuit court proceeding in this matter. The brief fails, however, to develop coherent arguments that apply relevant legal authority to the facts of record, and instead relies largely upon conclusory assertions. "A party must do more than simply toss a bunch of concepts into the air with the

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

hope that either the [circuit] court or the opposing party will arrange them into viable and fact-supported legal theories.” *State v. Jackson*, 229 Wis. 2d 328, 337, 600 N.W.2d 39 (Ct. App. 1999). Consequently, this court need not consider arguments that are unsupported by adequate factual and legal citations or are otherwise undeveloped. See *Grothe v. Valley Coatings, Inc.*, 2000 WI App 240, ¶6, 239 Wis. 2d 406, 620 N.W.2d 463 (lack of record citations); *State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (undeveloped legal arguments).

While we make some allowances for the failings of parties who, as here, are not represented by counsel, “[w]e cannot serve as both advocate and judge,” *Pettit*, 171 Wis. 2d at 647, and will not scour the record to develop viable, fact-supported legal theories on the appellant’s behalf. *Jackson*, 229 Wis. 2d at 337. Here, the appellant has failed to develop his arguments legally or to support them factually. Therefore, we affirm the circuit court on that basis.

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

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