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**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  
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**DISTRICT III**

(Amended July 22, 2015 as to paragraph 2)  
July 21, 2015

To:

Hon. Howard W. Cameron Jr.  
Circuit Court Judge  
St. Croix County Courthouse  
1101 Carmichael Road  
Hudson, WI 54016

Kristi Severson  
Clerk of Circuit Court  
St. Croix County Courthouse  
1101 Carmichael Road  
Hudson, WI 54016

William G. Thiel  
Weld, Riley, Prenn & Ricci, S.C.  
P.O. Box 1030  
Eau Claire, WI 54702-1030

Warren Slocum  
2220 122nd Street  
New Richmond, WI 54017

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

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2014AP2131

Warren Slocum v. Star Prairie Township (L. C. #2013CV303)

Before Hoover, P.J., Stark and Hruz, JJ.

Warren Slocum, pro se, appeals an order denying his petition for waiver of transcript fees. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. We reject Slocum's arguments, and summarily affirm the order. *See* WIS. STAT. RULE 809.21.<sup>1</sup>

In case No. 2014AP1702, Slocum appealed a summary judgment dismissing his challenge to 2012 property tax assessments made by Star Prairie Township, along with an order denying reconsideration of that dismissal. Slocum filed an affidavit of indigency and petitioned

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2013-14 version.

the circuit court to waive transcript costs for that appeal. The circuit court denied the petition after a hearing and Slocum appeals.<sup>2</sup>

An indigent defendant may be entitled to waiver of the cost of the transcripts if he or she has an arguably meritorious claim on appeal. *See State ex. rel Girouard v. Circuit Court for Jackson Cnty.*, 155 Wis. 2d 148, 159, 454 N.W.2d 792 (1990). “[A] meritless assertion by a putative appellant will not furnish a foundation for a judicially ordered waiver of fees.” *Id.* Whether a claim has arguable merit is a question of law this court reviews independently. *State ex rel. Hansen v. Circuit Court for Dane Cnty.*, 181 Wis. 2d 993, 998, 513 N.W.2d 139 (Ct. App. 1994).

Here, Slocum’s petition stated:

This is an explanation for the petition for a waiver of transcript fees.

Significant testimony was provided in courtroom hearing(s) that does not appear in precisely that form in any other places or documents.

For the Superior Courts to be able to review the local circuit court judge’s decision, they’ll be well-advised to have access to this transcript information.

The Township filed a response opposing the petition. At a hearing on the petition, the court asked Slocum to identify the arguably meritorious claims of his appeal. Slocum stated he provided “evidence” via his testimony at the subject hearing to show that summary judgment was not appropriate. Slocum did not identify the alleged evidence, intimating the transcripts were necessary to provide detail. Slocum also generally challenged the “improprieties of the tax

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<sup>2</sup> By order dated September 12, 2014, we held appeal No. 2014AP1702 in abeyance pending resolution of this appeal.

assessment system.” Because Slocum indicated he had not received a copy of the Township’s response opposing his petition, the circuit court provided Slocum with a copy of the response and gave him additional time to reply.

In his reply, Slocum claimed that significant evidence and testimony were submitted in response to the Township’s assertions and motions, though he did not identify this contradictory evidence. Slocum added that “[e]ven if no affidavit had been produced in response to the [Township]’s actions, this would not justify acceptance of inherently false, and ludicrously insane assertions without any factual basis, or logical substance.”

Ultimately, and despite ample opportunity provided by the circuit court, Slocum failed to establish that his appeal of the order granting summary judgment has arguable merit. Summary judgment is granted when there are no genuine issues of material fact and the moving party is entitled to judgment as a matter of law. *Green Spring Farms v. Kersten*, 136 Wis. 2d 304, 315, 401 N.W.2d 816 (1987). Slocum made only vague and conclusory reference to contradictory evidence, without identifying the evidence or establishing that it created a genuine issue of *material* fact. Because Slocum failed to establish an arguably meritorious claim on appeal, the circuit court properly exercised its discretion in denying his petition for waiver of the transcript fee.<sup>3</sup>

Upon the foregoing,

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

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

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<sup>3</sup> We note that, on appeal, Slocum’s briefs are effectively incomprehensible—he fails to address the law or factors a court must consider when deciding a petition for transcript fee waiver and makes repetitive and conclusory statements unsupported by the record. Pro se litigants, other than prisoners, 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). We need not address arguments that are inadequately developed. *See Barakat v. DHSS*, 191 Wis. 2d 769, 786, 530 N.W.2d 392 (Ct. App. 1995).