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September 28, 2016

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

2015AP2617

In re the Paternity of A.A.T.: Ashley A. Dodd v. Joshua R. Techlin
(L.C. #2010PA353PJ)

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

Joshua R. Techlin appeals pro se from an order denying his motion to modify child support. 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 (2013-14).¹ We affirm the order of the circuit court.

¹ All references to the Wisconsin Statutes are to the 2013-14 version.

In 2011, Techlin acknowledged paternity of A.A.T. and was ordered to pay child support. In June 2015, Techlin moved to modify child support on the ground that there had been several changes in circumstances, including his incarceration.²

The court commissioner denied Techlin's motion to modify child support. Techlin then sought de novo review, which the circuit court granted. Following a hearing on the matter, the circuit court also denied Techlin's motion to modify child support. This appeal follows.

Generally, we review a circuit court's decision to modify child support for a proper exercise of discretion. *See Zutz v. Zutz*, 208 Wis. 2d 338, 342, 559 N.W.2d 919 (Ct. App. 1997). We will affirm a court's exercise of discretion if it examined the relevant facts, applied the proper legal standards, and reached a logical decision. *Id.*

Here, the circuit court found a substantial change in circumstances based primarily upon Techlin's incarceration. However, it declined to modify child support because of that. The court recognized that incarcerated persons are not automatically relieved of their child support obligations. *See Rottscheit v. Dumler*, 2003 WI 62, ¶30, 262 Wis. 2d 292, 664 N.W.2d 525. It also cited the intentional nature of Techlin's actions, which is a permissible consideration. *See id.*, ¶¶41-42 (the nature of the criminal conduct is a relevant factor in determining whether a parent's child support obligation should be modified). Ultimately, the court concluded that fairness dictated that it continue to hold Techlin responsible for his child support obligations.

² Techlin was convicted of false imprisonment and will not be released from custody until January 2017.

Reviewing the circuit court’s decision, we are satisfied that it properly exercised its discretion in denying Techlin’s motion to modify child support. Accordingly, we affirm the order.³

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

³ To the extent we have not addressed any other argument raised by Techlin on appeal, the argument is deemed rejected. *See State v. Waste Mgmt. of Wis., Inc.*, 81 Wis. 2d 555, 564, 261 N.W.2d 147 (1978) (“An appellate court is not a performing bear, required to dance to each and every tune played on an appeal.”).