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**DISTRICT I/II**

May 9, 2018

To:

Hon. David L. Borowski  
Circuit Court Judge  
Milwaukee County Courthouse  
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You are hereby notified that the Court has entered the following opinion and order:

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2017AP2403-NM      In the matter of the guardianship and protective placement of A.B.:  
Milwaukee County v. A.B. (L.C. # 2017GN69)

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

**Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).**

Counsel for A.B. has filed a no-merit report concluding there is no arguable basis for challenging WIS. STAT. chs. 54 and 55 (2015-16)<sup>1</sup> guardianship and protective placement orders

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

for A.B.<sup>2</sup> A.B. has not responded.<sup>3</sup> Upon an independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 no arguable issues of merit appear, and the orders for guardianship and protective placement are summarily affirmed. *See* WIS. STAT. RULE 809.21.

Petitions for guardianship and protective placement were filed by the Milwaukee County Department on Aging. The guardianship petition alleged that A.B., a sixty-two-year-old woman, suffers from a degenerative brain disorder and other like incapacities such that she is no longer able to safely live independently and alone in her apartment. A.B., through her guardian ad litem, objected to the petitions for guardianship and protective placement. Subsequently, adversary counsel was appointed to represent A.B. A court trial was conducted, at which a psychologist, the county program coordinator, and A.B. testified. The trial court found that A.B. needed a guardian of the person because she suffers from dementia, a degenerative brain

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<sup>2</sup> Appointed counsel was ordered to file a supplemental no-merit report addressing possible deficiencies in service of the petitions for guardianship and protective placement. The record was twice supplemented with missing documents, including an affidavit of personal service on A.B. Counsel filed the required supplemental no-merit brief on March 27, 2018, and requested that it be accepted as a substitute for the original no-merit brief and an earlier supplemental no-merit report. The request is granted and the original no-merit brief and first supplemental no-merit brief are stricken.

<sup>3</sup> After this case was submitted to the court for review and a supplemental no-merit brief ordered, A.B. sought and was granted a thirty-day extension of time to file a response. A.B. did not submit a response by the April 5, 2018 extended due date.

disorder, and other like incapacities. The trial court also found that A.B. was in need of protective placement in an unlocked unit.

The no-merit report addresses whether statutory deadlines and procedural requirements were followed and whether there was sufficient evidence to support the trial court's guardianship and protective placement orders. The report gives a thorough analysis and summary of the entire proceeding and the trial testimony.<sup>4</sup> This court is satisfied that the no-merit report properly analyzes the issues it raises as without merit, and this court will not discuss them further. Our independent review of the record discloses no other potential issues of arguable merit. Therefore,

IT IS ORDERED that the orders are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Diane Lowe is relieved of further representing A.B. in this matter.

IT IS FURTHER ORDERED that the no-merit brief filed January 9, 2018, and the supplemental no-merit brief filed March 7, 2018, are stricken; the "March 26, 2018 Supplemental No-Merit Brief," filed March 27, 2018, is accepted as a substitute no-merit brief.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*

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<sup>4</sup> As supplemented, the record evidences that A.B. was personally served with the petitions for guardianship and protective placement.