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**DISTRICT I**

August 21, 2018

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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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2017AP857

State of Wisconsin ex rel. Loren Leiser v. Michael Meisner,  
Warden (L.C. # 2016CV6011)

Before Kessler, P.J., Brennan and Dugan, JJ.

**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).**

Loren Leiser, *pro se*, appeals the circuit court's order denying his petition for writ of *habeas corpus*. Leiser argues: (1) his sentence for exposing a child to harmful materials is longer than allowed by law; (2) the evidence at trial was insufficient to support his conviction of two counts of second-degree sexual assault of a child and one count of exposing a child to harmful materials; (3) he was sentenced based on inaccurate information; (4) changes in administration of the parole system are a "new factor" warranting resentencing; (5) the circuit

court incorrectly interpreted WIS. STAT. § 973.09(2)(b)2. (2015-16)<sup>1</sup>; (6) the second-degree sexual assault of a child counts are *ex post facto* violations; (7) the Department of Corrections violated his constitutional rights to equal protection when it changed its policy regarding presumptive parole; and (8) the circuit court erred when it ruled that his petition was not verified. After review of the briefs and the record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. We affirm.

Leiser was convicted in 1998 of three counts of second-degree sexual assault of a child, one count of exposing a child to harmful materials, and three counts of physically abusing a child. The current action is Leiser's sixth attempt to challenge his conviction.

As a preliminary matter, we note that Leiser's brief to this court is inadequate. The brief is rambling and repetitive, filled with unsupported statements, and unaccompanied by meaningful analysis. Moreover, Leiser has not cited to the record to support his factual assertions as required by WIS. STAT. RULE 809.19(1)(d), (e). We generally will not consider arguments that are not supported by appropriate references to the record. *See State v. Lass*, 194 Wis. 2d 591, 604-05, 535 N.W.2d 904 (Ct. App. 1995).

As for the merits of Leiser's appeal, a petition for a writ of *habeas corpus* "is an equitable remedy that protects a person's right to personal liberty by freeing him or her from illegal confinement." *State v. Pozo*, 2002 WI App 279, ¶8, 258 Wis. 2d 796, 654 N.W.2d 12. As such, a petitioner is entitled to relief "only where the petitioner demonstrates: (1) restraint of his or her liberty, (2) which restraint was imposed contrary to constitutional protections ... and (3) no other

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

adequate remedy available at law.” *Id.* Leiser had other adequate remedies available at law. He could have raised his claims on direct appeal or in his prior postconviction motions, appeals, and petitions for writ of *habeas corpus*. Moreover, to the extent Leiser’s current claims have been previously raised, the claims are procedurally barred. *See* WIS. STAT. § 974.06(8) (a petition for writ of *habeas corpus* shall not be entertained if the court has already denied the petitioner relief). Therefore, the circuit court properly denied Leiser’s petition.

Leiser continues to file meritless challenges to his 1998 judgment of conviction and sentence. We agree with the State that “Leiser has abused the judicial process by repetitively litigating the same matters.” We, therefore, warn Leiser that we may impose sanctions against him that will severely circumscribe his ability to bring future actions if he continues to bring meritless or procedurally barred actions challenging his conviction from two decades ago. *See State v. Casteel*, 2001 WI App 188, ¶25, 247 Wis. 2d 451, 634 N.W.2d 338.<sup>2</sup>

IT IS ORDERED that the order of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

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>2</sup> Several months after briefing was completed, Leiser moved to supplement his brief with an addendum. We deny the motion because Leiser has not shown good cause for his belated request.