



OFFICE OF THE CLERK  
**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

Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT III**

September 22, 2020

To:

Hon. James A. Morrison  
Circuit Court Judge  
1926 Hall Ave.  
Marinette, WI 54143

Sheila Dudka  
Clerk of Circuit Court  
Marinette County Courthouse  
1926 Hall Avenue  
Marinette, WI 54143

David H. Weber  
Conway, Olejniczak & Jerry, S.C.  
P.O. Box 23200  
Green Bay, WI 54305-3200

Cindy May Adamski  
N5198 43rd Road  
Pound, WI 54161

John Donald Adamski  
N5198 43rd Road  
Pound, WI 54161

Grand Chute Auto Sales of WI Inc.  
300 N. Lyndale Dr.  
Appleton, WI 54914

Jack C. Knaus  
3451 Dickinson Road  
De Pere, WI 54115

Kent Knaus  
588 Cross Road  
Sobieski, WI 54171

Melotte-Skaleske Dist. Inc.  
P.O. Box 982  
Green Bay, WI 54305

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

---

2019AP454

John Donald Adamski v. Jack C. Knaus (L. C. No. 2005CV369)

Before Stark, P.J., Hruz and Seidl, 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).**

Jack Knaus, pro se, appeals from the renewal of a judgment in favor of John and Cindy Adamski (hereinafter, collectively “the Adamskis”).<sup>1</sup> Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. We summarily affirm. *See* WIS. STAT. RULE 809.21 (2017-18).<sup>2</sup>

In a prior appeal filed by Knaus, we affirmed a judgment of foreclosure on a land contract involving the Adamskis’ sale of a tavern to Knaus, Knaus’s son, and several others. *See Adamski v. Knaus*, No. 2006AP3125, unpublished op. and order (WI App Mar. 18, 2008). The judgment granted the Adamskis specific performance and a money judgment for the amount of the land contract plus interest, taxes, and attorney fees. *Id.* at 1. Our supreme court denied Knaus’s petition for review.

Following the foreclosure, the Adamskis purchased the property at a public auction. We affirmed Knaus’s second appeal regarding a \$34,765.89 deficiency judgment awarded to the Adamskis, and the denial of a contempt motion against the property’s receiver. *Adamski v. Knaus*, No. 2009AP160, unpublished op. and order (WI App Nov. 2, 2010). Our supreme court again denied Knaus’s petition for review. Subsequently, Knaus’s son paid \$10,000 toward the \$34,765.89 judgment, and a partial satisfaction of judgment was filed in this case as to him only.

On December 6, 2018, the Adamskis electronically filed a “Petition For Leave To Bring Action on Judgment,” noting that the ten-year judgment lien period, as set forth in WIS. STAT. § 806.15, would soon expire. The petition sought to extend the time by which the Adamskis could preserve their lien rights and their right to execute on the judgment. On December 10, 2018, Knaus filed a motion opposing the petition. After a hearing on February 5, 2019, the

---

<sup>1</sup> The Adamskis did not file a response brief.

<sup>2</sup> All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

circuit court granted the Adamskis' petition, extending the lien rights for ten years and also granting the Adamskis leave to execute on the judgment. Knaus now appeals.

Knaus's appellate brief is difficult to follow. The issues are not concisely stated, Knaus lacks any citation to the record on appeal, and he provides virtually no citation to legal authority.<sup>3</sup> We therefore address the issues raised as best that we can discern them.

Knaus argues he was not personally served with the petition. Here, personal service was unsuccessfully attempted by a process server on numerous occasions. At the hearing on the petition, Knaus conceded that he had received service of the petition by mail on December 7, 2018. Prior to the hearing, Knaus filed eight paragraphs of objections to the petition. Knaus then appeared at the hearing and contested the renewal of the judgment, without reserving any rights to challenge the circuit court's personal jurisdiction over him. Any issue regarding personal service was therefore waived.

Knaus also argues that the Adamskis' petition contained incorrect information, which he further contends constituted evidence that the Adamskis committed a fraud on the court by attempting to obtain more money than was actually due on the judgment. According to Knaus, the petition stated that the amount of the judgment currently due was \$34,765.89, which "clearly shows [the Adamskis] had no intention of informing the Circuit Court of the \$10,000 payment on the [j]udgment ...." Thus, Knaus argues the Adamskis intended to deceive the court by "[t]rying

---

<sup>3</sup> We admonish Knaus that we have no duty to scour the record to review arguments unaccompanied by adequate record citation, and his merely citing to a party's brief's appendix is insufficient. See *Roy v. St. Lukes Med. Ctr.*, 2007 WI App 218, ¶10 n.1, 305 Wis. 2d 658, 741 N.W.2d 256. Moreover, we may decline to consider arguments unsupported by legal authority. See *State v. Flynn*, 190 Wis. 2d 31, 39 n.2, 527 N.W.2d 343 (Ct. App. 1994).

to collect an extra \$22,000 including [twelve percent] interest when \$10,000 was paid in Feb[.] 2009.”<sup>4</sup>

Contrary to Knaus’s intimation, the circuit court was, in fact, informed of the \$10,000 payment by Knaus’s son. The Adamskis acknowledged at the hearing that \$10,000 was paid in February 2009, and a partial satisfaction of judgment was filed with the court at that time. The Adamskis explained: “The son wanted out of the lawsuit .... It was a joint and several judgment, so ... he paid ten grand to get out and he was released.”

The circuit court specifically advised Knaus that “the judgment has now been reduced by \$10,000 .... You have been protected to the amount of that \$10,000.” The court further advised Knaus at the hearing: “So if I grant [the petition], the amount of the judgment that he is going to be allowed to renew is going to be 24,000 and change. It’s not going to be 34[,000] because he acknowledges he’s already been paid ten of it.”

The circuit court also advised Knaus that the amount due, with interest, would be determined if and when an execution of judgment occurred. The court stated that Knaus could defend against any execution of the judgment, including the amount due, to the extent of any prior payments on the judgment.

Indeed, Knaus himself acknowledged at the hearing that he understood he was “protected to the amount of that \$10,000.” Nevertheless, Knaus contended, “I never received anything to

---

<sup>4</sup> Based on these arguments, Knaus requests that we reverse the renewal of the judgment, dismiss the Adamskis’ petition, and return the \$10,000 paid by his son. There is no legal basis to grant the relief requested, as the circuit court found there was no fraud. In addition, Knaus has no standing to seek return of the \$10,000 paid by his son. Knaus also argues for a finding of contempt against the Adamskis and their attorney as a result of their alleged fraud. Knaus argues he had to request a separate hearing on the contempt motion, as it was not considered during the hearing on the Adamskis’ petition. The record reflects the hearing on the contempt motion was noticed for May 2, 2019. However, Knaus also states in his brief that the contempt issue “is now a separate case.” Knaus filed a separate appeal involving the contempt issue in case No. 2019AP919. We therefore will not further address that issue here.

show that that was done.” Knaus also argued that he was not provided notice that his son was removed as a judgment creditor. The circuit court correctly advised Knaus, however, that no such notice was required beyond the partial satisfaction of judgment that was filed with the court. As the court stated, “You’re not entitled to receive anything. You didn’t pay anything.”

The circuit court also specifically found there was no fraud committed by the Adamskis. In particular, the court found that the Adamskis’ petition did contain mistakes regarding the current amount due, but the petition was amended on the record, in open court, to correct the error. The court stated, “So the amount we’re talking about is [\$]24,765.89?” The court further found, “They were wrong about the number, the number has been corrected.” The court found that the Adamskis believed “incorrectly but understandably” that they should list the full amount of the judgment due, despite the payment from Knaus’s son, because, with interest, the amount due exceeded the original \$34,765.89 judgment amount. However, the court also noted, “They’re not denying you have credit for this money coming.” The record supports the court’s findings of a mere mistake regarding the amount due, as opposed to an attempt to defraud.

Finally, Knaus suggests the circuit court was biased. Knaus argues “[t]he Judge in this [c]ourt, instead of reading the Petition for what it is ... is doing something illegal by trying to cover up this fraudulent act and to rewrite this document for them.” Knaus’s serious charge of judicial bias is undeveloped, and we will not address it further. *See M.C.I., Inc. v. Elbin*, 146 Wis. 2d 239, 244-45, 430 N.W.2d 366 (Ct. App. 1988).

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

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

---

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