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**DISTRICT IV**

October 29, 2020

To:

Hon. Jill Karofsky  
Circuit Court Judge  
Dane County Courthouse  
215 S. Hamilton St.  
Madison, WI 53703

Michael D. Rosenberg  
Community Justice, Inc.  
214 N. Hamilton St., Ste. 101  
Madison, WI 53703

Pablo Baker

Carlo Esqueda  
Clerk of Circuit Court  
Dane County Courthouse  
215 S. Hamilton St., Rm. 1000  
Madison, WI 53703

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

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2019AP1699

Petitioner v. Pablo Baker (L.C. # 2019CV1946)

Before Kloppenburg, Graham, and Nashold, 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).**

Pablo Baker, pro se, appeals the circuit court's harassment injunction order prohibiting him from contacting the petitioner. 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(1).<sup>1</sup> We affirm.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

Baker's briefing consists of undeveloped arguments that are not adequately supported by legal authority and proper citations to the record. This court may decline to consider such arguments. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992). Additionally, Baker has failed to ensure that the record contains a complete transcript of the injunction hearing. "It is the appellant's responsibility to ensure completion of the appellate record and 'when an appellate record is incomplete in connection with an issue raised by the appellant, we must assume that the missing material supports the trial court's ruling.'" *State v. McAttee*, 2001 WI App 262, ¶5 n.1, 248 Wis. 2d 865, 637 N.W.2d 774 (quoted source omitted).

We will nonetheless address three of Baker's arguments. We conclude that these arguments, unlike Baker's other arguments, present cognizable issues. However, for the reasons we now explain, each of these three arguments lacks merit.

We first address Baker's argument that there was insufficient evidence for the circuit court to issue the harassment injunction. We conclude that the evidence was sufficient.

For the injunction to properly issue, there needed to be evidence that Baker engaged in "harassment" with intent to harass or intimidate the petitioner. *See* WIS. STAT. § 813.125(5)(a)3. "[H]arassment" for purposes here is statutorily defined to include, among other conduct, "[e]ngaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and which serve no legitimate purpose." *See* § 813.125(1)(am).

The partial transcript in the record contains sufficient evidence that Baker engaged in such conduct with the requisite intent (and, as already noted, we assume that the missing portions of the transcript would also support issuing the injunction). The partial transcript includes testimony by the petitioner that Baker would show up in person or communicate with her

without her consent, including a time when Baker “showed up real crazy-like at a red light, and ... went up on the curb so that I could see his face.” The petitioner also testified that Baker told her that he would kill himself if she did not sign a letter; that Baker came to her workplace demanding money for no justifiable reason when she had asked Baker not to come to her workplace; and that Baker would show up at her house to take pictures and put letters in the mailbox. The petitioner further testified that she feared for her safety and believed that, without a restraining order, Baker would never stop.

Nothing in the partial transcript or elsewhere in the record suggests that the circuit court discredited any of the petitioner’s testimony. On the contrary, the circuit court’s decision to issue the injunction indicates that the court credited the petitioner’s testimony and drew reasonable inferences against Baker. It is not for this court to make different credibility determinations or to draw different reasonable inferences. *Welytok v. Ziolkowski*, 2008 WI App 67, ¶¶27-28, 312 Wis. 2d 435, 752 N.W.2d 359.

The second argument we address is Baker’s contention that the circuit court violated his right to due process by confiscating electronic devices that Baker brought to the injunction hearing. As we understand it, Baker contends that one or more of these devices contained information that he needed to present his case. However, the partial transcript shows that the circuit court temporarily confiscated the devices only so that Baker would not make unauthorized recordings, and that the court did not prevent Baker from using information on the devices to present his case. With respect to Baker’s phone, the court informed Baker, “I’ll give it back to you when you need the information.” With respect to Baker’s computer, the court informed Baker, “You may use the computer,” after Baker stated that the computer contained documentation. We assume that any missing portions of the transcript would further support the

circuit court's rulings regarding Baker's electronic devices. In sum, Baker has not established that his right to due process was infringed by the confiscation of any device.

Third and finally, we address Baker's argument that the circuit court violated his right to due process by refusing to provide him with an interpreter. We reject this argument because the partial transcript shows that the circuit court made a factual determination that Baker did not need an interpreter, and Baker does not show that this determination was clearly erroneous. *See id.*, ¶128 (“[W]e affirm a circuit court's findings of fact unless they are clearly erroneous.”). The circuit court noted that Baker had previously appeared in court “many times” without an interpreter, that Baker had previous jury trials that were conducted entirely in English, and that, in one previous jury trial, Baker asked *not* to have an interpreter present. The court also observed that Baker seemed to be “holding [his] own just fine” at the injunction hearing without an interpreter.

Therefore,

IT IS ORDERED that the circuit court's order is summarily affirmed pursuant to WIS. STAT. RULE 809.21(1).

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*