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**DISTRICT III**

November 17, 2020

To:

Hon. Thomas W. Clark  
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You are hereby notified that the Court has entered the following opinion and order:

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2019AP1296

State of Wisconsin v. Vanessa Ibainikuo Ngam  
(L. C. No. 2019TR142)

Before Hruz, J.<sup>1</sup>

**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).**

Vanessa Ngam, pro se, appeals a judgment imposing a monetary forfeiture for speeding. Ngam appears to argue that there was insufficient evidence presented at trial for the circuit court to find her guilty of driving at a rate of 16-19 miles per hour (“mph”) over the posted speed limit.

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2) (2017-18). All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

Based upon our review of the parties' briefs and the appellate record, we conclude this appeal is appropriate for summary disposition, and we summarily affirm. *See* WIS. STAT. RULE 809.21.

At a bench trial on Ngam's speeding citation, Wisconsin State Patrol trooper James Fetherston testified to the following facts. Before his shift on the day he stopped Ngam, Fetherston tested his squad car's stationary radar and confirmed its accuracy.

During his shift, Fetherston was parked in a parking lot using his stationary radar when he observed Ngam's vehicle approaching his location. No other vehicles were on the road at that time. Using his radar, Fetherston measured Ngam's vehicle initially traveling at a rate of 42 mph. Her vehicle's speed climbed to as high as 47 mph. The posted speed limit in the area was 30 mph. Fetherston initiated a traffic stop, identified Ngam as the driver, and issued her a citation for speeding. After the traffic stop, Fetherston again tested his radar and confirmed its accuracy.

Ngam testified that she had been driving between 30 and 40 mph before the traffic stop. Ngam further testified that her vehicle's speedometer indicated a speed of 41 mph at the time she noticed Fetherston driving behind her with his emergency lights flashing. She also testified that she had not been driving at a rate of 47 mph.

The circuit court found Ngam guilty of driving at a rate of 16-19 mph over the posted speed limit. It determined that the State met its burden of proving Ngam had been traveling 47 mph and that the evidence she presented did not overcome the evidence produced by the State. Ngam now appeals.

We have difficulty discerning precisely the basis on which Ngam asserts her judgment should be reversed because her brief is unorganized and written mostly in a narrative format. To the extent we fail to address an issue she attempts to raise, we deem it insufficiently developed to warrant our review. *See State v. Pettit*, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992).

The thrust of Ngam’s appeal appears to be that the State presented insufficient evidence at trial for the circuit court to find her guilty of speeding. When reviewing the sufficiency of the evidence at a bench trial, we will reverse a judgment only if the evidence, viewed most favorably to the State and the judgment, is so insufficient in probative value and force that it can be said as a matter of law that no trier of fact, acting reasonably, could have found guilt by clear and convincing evidence. *See State v. Schulpius*, 2006 WI App 263, ¶11, 298 Wis. 2d 155, 726 N.W.2d 706; *see also* WIS. STAT. § 345.45.

Specifically, Ngam questions the credibility of Fetherston’s testimony regarding the speed at which he observed her travel. As she did at trial, Ngam asserts that she had been driving no faster than 41 mph and that Fetherston “did not monitor [her] speed adequately.”

Ngam’s arguments lack merit because she merely disagrees with the circuit court’s finding that Fetherston’s testimony was more credible than her own. During a bench trial, the circuit court is the ultimate arbiter of the weight and credibility of the evidence and of any reasonable inferences drawn from that evidence. *Bonstores Realty One, LLC v. City of Wauwatosa*, 2013 WI App 131, ¶10, 351 Wis. 2d 439, 839 N.W.2d 893. Ngam does not explain why the court could not reasonably rely on Fetherston’s testimony, nor does she point to any evidence in the record that demonstrates the court’s credibility determination was clearly erroneous. *See* WIS. STAT. § 805.17(2). Accordingly, we are bound on appeal by the court’s

determination that Fetherston provided credible testimony that his radar measured Ngam driving at a rate of 47 mph. *See id.* The State presented sufficient evidence for the court to conclude Ngam was guilty of driving 16-19 mph over the posted speed limit.

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.

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