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DISTRICT IV

November 19, 2020

To:

Hon. Karl Hanson
Circuit Court Judge
Rock County Courthouse
51 S. Main St.
Janesville, WI 53545

Jacki Gackstatter
Clerk of Circuit Court
Rock County Courthouse
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Janesville, WI 53545

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

2019AP1202

Bridgett L. Jarrett v. Tommie Lee Frederick Simpson, Sr.
(L.C. # 2015FA419)

Before Fitzpatrick, P.J., Kloppenburg, and Graham, 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).

Bridgett Jarrett, pro se, appeals a circuit court order that granted Tommie Simpson's motion to change custody, placement, and child support for the parties' children. 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).¹ We affirm.

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

Jarrett’s primary argument appears to be that Simpson failed to provide evidence showing that there was any physical abuse of the parties’ children while they were in Jarrett’s care. For three reasons, we decline to reverse based on this argument or on the other arguments that Jarrett makes.

First, Jarrett’s arguments lack citations to legal authorities and the record. We need not consider such arguments. See *Lechner v. Scharrer*, 145 Wis. 2d 667, 676, 429 N.W.2d 491 (Ct. App. 1988) (“This court need not consider arguments unsupported by citations to authority ... or references to the record.”).

Second, the record lacks a complete transcript of the de novo hearing at which the circuit court made its decision. We must therefore assume that the missing portions of the transcript support the decision. See *State v. McAttee*, 2001 WI App 262, ¶5 n.1, 248 Wis. 2d 865, 637 N.W.2d 774 (“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 [circuit] court’s ruling.’” (quoted source omitted)).

Third, Jarrett has not filed a reply brief. Accordingly, we take Jarrett to have conceded Simpson’s contention that he provided sufficient proof to support the circuit court’s decision. See *United Coop. v. Frontier FS Coop.*, 2007 WI App 197, ¶39, 304 Wis. 2d 750, 738 N.W.2d 578 (taking an appellant’s “lack of reply as a concession”).

We note that, in addition to these deficiencies in Jarrett’s briefing, Jarrett mistakenly focuses on whether there was evidence of physical abuse. Jarrett does not present a complete argument addressing the proper legal standard. In particular, Jarrett’s brief lacks discussion of

whether the change in custody and placement that the circuit court ordered was in the children's best interests. *See* WIS. STAT. § 767.451(1)(a). Although Jarrett refers to the best interest standard in the conclusion section of her brief, she does not provide argument that meaningfully addresses this standard.

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.

Sheila T. Reiff
Clerk of Court of Appeals