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DISTRICT II

February 1, 2023

To:

Hon. Angelina Gabriele
Circuit Court Judge
Electronic Notice

Rebecca Matoska-Mentink
Clerk of Circuit Court
Kenosha County Courthouse
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Michael Nochevich
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You are hereby notified that the Court has entered the following opinion and order:

2021AP1546

In re the marriage of: Michael Nochevich v. Lori Lee Adkins
(L.C. #2014FA985)

Before Neubauer, Grogan and Lazar, 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).

Lori Lee Adkins appeals an August 24, 2021 order in which the circuit court interpreted its earlier August 18, 2020 order to dictate that one parent's selection of, and payment for, private school "takes precedent over the other parent's choice of public school." The order removed an evidentiary hearing from the court's calendar and rescinded the appointment of the guardian ad litem. 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 (2019-20). We dismiss the appeal.

This court is in receipt of the Respondent’s brief, filed in response to our September 20, 2022 order pursuant to *Raz v. Brown*, 2003 WI 29, ¶18, 260 Wis. 2d 614, 660 N.W.2d 647. The appellant has notified this court that no Reply brief will be filed. Based on the briefing, this court concludes that the issues raised in this appeal are moot. *See Portage County. v. J.W.K.*, 2019 WI 54, ¶11, 386 Wis. 2d 672, 927 N.W.2d 509. “Appellate courts generally decline to reach moot issues, and if all issues on appeal are moot, the appeal should be dismissed.” *Id.*, ¶12.

Therefore,

IT IS ORDERED that the appeal is dismissed.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals