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DISTRICT IV

March 16, 2023

To:

Hon. Rhonda L. Lanford
Circuit Court Judge
Electronic Notice

Carlo Esqueda
Clerk of Circuit Court
Dane County Courthouse
Electronic Notice

Michele Perreault
Electronic Notice

Caralynn Marie Knutson
Electronic Notice

Dawn M. Peters
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You are hereby notified that the Court has entered the following opinion and order:

2021AP1810

In re the marriage of: Caralynn Marie Knutson v. Brian Rick
Knutson (L.C. # 2019FA894)

Before Fitzpatrick, 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).

Caralynn Marie Knutson, pro se appellant, appeals circuit court orders that sealed certain documents in the record.¹ Brian Rick Knutson, by counsel, submitted a letter informing the court that he would not be filing a respondent's brief. Caralynn then filed a motion for summary reversal, to which Brian did not file a response. Upon Caralynn's motion, as well as this court's review of the record, we conclude at conference that this case is appropriate for summary

¹ For purposes of clarity, we use the parties' first names because they share a last name.

disposition. *See* WIS. STAT. RULE 809.21(1) (2021-22).² We vacate the orders of the circuit court and remand with directions for the circuit court to unseal documents 161 and 162 in the record.

This appeal arises from postjudgment proceedings in the parties' divorce action. Under the terms of the judgment of divorce, the circuit court ordered that the business that was jointly owned by the parties be sold, and the net proceeds divided equally. Brian moved to seal documents 161 and 162 in the record, as well as all references in the record to the purchase price of the business. Caralynn objected to the motion. The circuit court entered an order sealing documents 161 and 162. The court later entered an additional order mandating "all records sealed related to purchase price." No additional documents appear to have been sealed. At the time the record was filed in this court, documents 161 and 162 were the only record items transmitted under seal.

Caralynn moves for summary reversal of the circuit court orders sealing the documents. As we stated above, Brian did not file a response to Caralynn's motion, nor did he file a respondent's brief. In a letter to this court, Brian's counsel asserts that the documents at issue in this appeal were sealed in the circuit court pending the sale of the parties' business. The letter further states, "As the parties' business has already been sold, the need for protection for that information no longer exists. Therefore, Respondent-Respondent, Brian Knutson, has no interests in the outcome of this appeal." Given that Brian has not objected to unsealing items

² All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

161 and 162 in the record, and his concession that the information in those documents is no longer in need of protection, we vacate the circuit court orders sealing the documents.

We need not decide the issue, argued in Caralynn’s brief, of whether the circuit court failed to follow the procedural and substantive requirements of WIS. STAT. § 801.21 in deciding the motion to seal, as that issue is now moot. *See Warren v. Link Farms, Inc.*, 123 Wis. 2d 485, 487, 368 N.W.2d 688 (Ct. App. 1985) (“An issue is moot when a determination is sought which can have no practical effect on a controversy.”) This court generally will not consider moot issues on appeal, except in situations where the issue “has great public importance, a statute’s constitutionality is involved, or a decision is needed to guide the [circuit] courts.” *Id.* Caralynn has not persuaded us that any of those circumstances are present in this case.

In the motion for summary disposition, Caralynn requests that this court issue an order “recusing Judge Lanford from proceeding further in this case.” Caralynn’s request is more properly directed to the circuit court following remand.

Finally, we address Caralynn’s request, made within the motion for summary disposition, for costs and attorney fees. The request is denied. Caralynn does not present a developed argument to support her request for costs and attorney fees, nor does she identify any specific statute or other legal authority that would entitle her to such relief. This court need not consider arguments that are unsupported by adequate legal citations or are otherwise undeveloped. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992).

IT IS ORDERED that the circuit court’s orders are vacated and the cause remanded with directions to unseal documents 161 and 162 in the record.

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

Sheila T. Reiff
Clerk of Court of Appeals