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**DISTRICT I**

May 2, 2023

To:

Hon. Paul R. Van Grunsven  
Circuit Court Judge  
Electronic Notice

Robert Jacob Welcenbach  
Electronic Notice

Josh Steib  
Register in Probate  
Milwaukee County Courthouse  
Electronic Notice

Ruzica Kuzmanovic  
3221 S. Ridgecrest Ct.  
New Berlin, WI 53151

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

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2021AP2108

In re the estate of Barbara J. Fickau: Ruzica Kuzmanovic v. Lee R. Fickau (L.C. # 2016PR1659)

Before Brash, C.J., Dugan and White, 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).**

Ruzica Kuzmanovic, *pro se*, appeals from an order that dismisses her claims against the estate of Barbara J. Fickau, bars her from filing any further claims against the estate, and further provides that if she does so, “the [circuit] court will entertain a motion for sanctions against her.” 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) (2021-22).<sup>1</sup> We affirm.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

Kuzmanovic was hired by Fickau to provide Fickau with in-home care. Kuzmanovic asserts that she was fired from that employment at the end of January in 2016. Fickau died on October 9, 2016, and the underlying probate matter began one month later.

Kuzmanovic filed a claim against Fickau's estate in April of 2020, which she subsequently amended multiple times. In December of 2020, the circuit court entered an order dismissing all of Kuzmanovic's claims. Kuzmanovic did not appeal that order.

In October of 2021, Kuzmanovic filed another claim, which she subsequently amended. The circuit court held a hearing and issued the order that is the subject of this appeal.

Kuzmanovic frames the issues before us as follows: (1) Fickau "committed fraud—theft to the government of U.S.A. and me—caregiver"; (2) "worker's abuse"; and (3) "numerous judge's request to dismiss the case." However, Kuzmanovic does not develop any coherent arguments in her appellate briefs. She additionally fails to identify any legal authority to support her arguments. An appellate court need not consider arguments that are unsupported by adequate factual and legal citations or are otherwise undeveloped, and we decline to do so here. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (explaining that "[w]e may decline to review issues inadequately briefed").

Meanwhile, Lee R. Fickau, in his capacity as personal representative for the estate, contends that Kuzmanovic's claims were properly dismissed because they were filed after the Notice to Creditors deadline under WIS. STAT. § 859.02 and are additionally barred by the one-year post-death deadline set forth in in WIS. STAT. § 859.48. Kuzmanovic does not refute these

arguments in her reply brief, and, therefore, concedes them.<sup>2</sup> See *United Coop. v. Frontier FS Coop.*, 2007 WI App 197, ¶39, 304 Wis. 2d 750, 738 N.W.2d 578 (holding that appellant’s failure to respond in reply brief to an argument made in respondent’s brief may be taken as a concession).

We additionally note that the order from which Kuzmanovic appeals provides that the circuit court’s rulings were “based upon the objection and the statements made upon the record[.]” (Uppercasing omitted.) Circuit court docket entries reflect that a hearing was held on November 22, 2021. However, the transcript of that hearing—where the circuit court made its oral rulings—is not included in the appellate record. It was Kuzmanovic’s responsibility to ensure that the appellate record is complete. See *Fiummefreddo v. McLean*, 174 Wis. 2d 10, 27, 496 N.W.2d 226 (Ct. App. 1993) (explaining that “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”). In its absence, we assume that the missing transcript supports the circuit court’s ruling.

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<sup>2</sup> In light of this resolution, there is no reason to address the estate’s alternative argument for affirmance, which is that Kuzmanovic’s underlying wage claim is barred by the statute of limitation set forth in WIS. STAT. § 109.09(1). See *Barrows v. American Family Ins. Co.*, 2014 WI App 11, ¶9, 352 Wis. 2d 436, 842 N.W.2d 508 (2013) (holding that “an appellate court need not address every issue raised by the parties when one issue is dispositive.”).

Therefore,

IT IS ORDERED that the order is summarily affirmed. *See* 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*