



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT I

October 3, 2023

To:

Hon. Marshall B. Murray
Circuit Court Judge
Electronic Notice

C.C.
1743 S. 19th Street, Bsmt.
Milwaukee, WI 53204

Tammy Kruczynski
Juvenile Clerk
Milwaukee County Courthouse
Electronic Notice

Angela Denise Cunningham
9000 W. Chester Street, Suite 100
Milwaukee, WI 53214

Brighton M. Troha
Electronic Notice

Division of Milwaukee Child Protective
Services

Charmian Klyve
635 North 26th Street
Milwaukee, WI 53233-1803

Steven Zaleski
Electronic Notice

Andrew William Boden
Legal Aid Society of Milwaukee
Electronic Notice

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

2023AP1194-NM	In re the termination of parental rights to N.R.W., a person under the age of 18: State of Wisconsin v. C.C. (L.C. # 2021TP42)
2023AP1195-NM	In re the termination of parental rights to B.W. III, a person under the age of 18: State of Wisconsin v. C.C. (L.C. # 2021TP43)
2023AP1196-NM	In re the termination of parental rights to I.W., a person under the age of 18: State of Wisconsin v. C.C. (L.C. # 2021TP44)
2023AP1197-NM	In re the termination of parental rights to O.W., a person under the age of 18: State of Wisconsin v. C.C. (L.C. # 2021TP45)
2023AP1198-NM	In re the termination of parental rights to N.W., a person under the age of 18: State of Wisconsin v. C.C. (L.C. # 2021TP46)

Before Donald, P.J.¹

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).

Attorney Steven Zaleski, as appointed counsel for C.C., has filed a no-merit report pursuant to WIS. STAT. RULE 809.107(5m). Counsel provided C.C. with a copy of the report, and both counsel and this court advised her of her right to file a response. C.C. has not responded. The court concludes that these cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After an independent review of the records, the court concludes that the records do not show arguable merit to any issue that could be raised on appeal.

As to all five children, the circuit court found C.C. in default after she failed to appear at an early hearing in the case. C.C. did not move to vacate the default finding, although she was in contact with counsel at a later time. Before disposition, the circuit court conducted a prove-up at which it heard testimony in support of the alleged grounds of failure to assume parental responsibility and continuing child in need of protection and services. The court found that the grounds were proven.

The court's finding of default was consistent with applicable law such as *Evelyn C.R. v. Tykila S.*, 2001 WI 110, 246 Wis. 2d 1, 629 N.W.2d 768. The evidence at the prove-up met the necessary elements of the two alleged grounds for termination. There is no arguable merit to a

¹ This appeal is decided by one judge pursuant to Wis. Stat. § 752.31(2)(e) (2021-22). All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

claim that the circuit court erred in finding C.C. in default at the grounds phase of the proceeding.

The court then held a dispositional hearing, and concluded that termination of C.C.'s parental rights was in the best interests of the children. The court considered the proper standard and factors under WIS. STAT. § 48.426(2) and (3), did not consider improper factors, and reached a reasonable result. An argument that the court erroneously exercised its discretion would lack arguable merit.

The court's review of the record shows no other grounds to appeal.

Therefore,

IT IS ORDERED that the orders terminating parental rights are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Zaleski is relieved of further representation of C.C. in these matters.

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

Samuel A. Christensen
Clerk of Court of Appeals