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DISTRICT II

May 22, 2013

To:

Hon. Wilbur W. Warren III
Circuit Court Judge
Kenosha County Courthouse
912 56th Street
Kenosha, WI 53140

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

2012AP1542

Bernard Tocholke v. Shereen Tocholke (L.C. # 2002FA365)

Before Neubauer, P.J., Reilly and Gundrum, JJ.

On July 5, 2012, Bernard Tocholke filed a pro se notice of appeal. He stated that he was appealing from the circuit court's refusal to correct certain "errors in calculation" regarding child support made at the time of his divorce. We conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2011-12).¹ We affirm the order of the circuit court.

¹ All references to the Wisconsin Statutes are to the 2011-12 version.

Bernard and Shereen Tocholke were divorced in a judgment entered in December 2002. Pursuant to the terms of the judgment, Bernard was required to pay child support. In December 2011, Bernard filed a motion which sought, among other things, to correct certain “errors in calculation” regarding child support made at the time of the divorce. Following a hearing on the matter, the circuit court denied that request. After the court resolved the remaining issues in Bernard’s motion, he appealed.

The sole issue on appeal is whether the circuit court erred in refusing to correct certain “errors in calculation” regarding child support made at the time of Bernard’s divorce. We conclude that it did not. As noted by the circuit court, Bernard’s argument on this matter was considered and rejected by this court in an earlier appeal. *See Tocholke v. Tocholke*, No. 2007AP2967, unpublished op. and order (WI App Aug. 25, 2009). That decision established the law of the case, which must be followed in all subsequent proceedings. *See Univest Corp. v. General Split Corp.*, 148 Wis. 2d 29, 38, 435 N.W.2d 234 (1989). Accordingly, we affirm.

Upon the foregoing reasons,

IT IS ORDERED that the order of the circuit court is summarily affirmed, pursuant to WIS. STAT. RULE 809.21.

Diane M. Fremgen
Clerk of Court of Appeals