

**FILED  
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CLERK OF WISCONSIN  
COURT OF APPEALS**

**WISCONSIN SUPREME COURT  
COURT OF APPEALS  
DISTRICT II**

State of Wisconsin ex rel.  
Nathan Huiras,  
Appellant

**District: 2  
Case No. 2023AP001443**

v.

**Circuit Court Case No. 2023CV000522**

Megan McGee Norris,  
Respondent

**County: Racine  
Circuit Court Judge: David Reddy  
Jurisdiction: Court of Law**

**Magistrate(s): 3 Judge Panel**

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**APPELLATE REPLY BRIEF**

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**To: Wisconsin Court of Appeals For the Second District**

I, Nathan Huiras, in SUI JURIS do OBJECT to the Appellee response brief’s attempt to correlate criminal conduct harassment with peacefully petitioning the government. No one shall abridge the defendant’s right to petition the government (Wisconsin Constitution Declared Rights). Controversies between people are meant for the courts and not the streets. The court should welcome to hear these issues so that people do not take matters into their own hands. Access to the courts should be available even for Pro Per litigants.

**STATEMENT OF ISSUES**

- I. The Appellant is not barred from suing malicious guardian ad litem.
- II. Guardian Ad Litem are not to give mental health assessments.
- III. Guardian Ad Litem do not have a right to blatantly misrepresent a parent.
- IV. Guardian Ad Litem do not have a right to demand therapy notes from parties to an action affecting the family.
- V. No Parent should pay guardian ad litem fees to an adversarial attorney who commits malicious acts against them. Constitutional Challenge to Wisconsin Statute 767.407(6)

**TABLE OF AUTHORITIES**

Wisconsin Constitution Article I Right to assemble and petition. SECTION 4. “The right of the people peaceably to assemble, to consult for the common good, and to petition the government, or any department thereof, shall never be abridged.”

Butz v. Economou, 438 US 478 - Supreme Court 1978..... pp.7

Erickson v. Pardus, 551 US 89 - Supreme Court 2007..... pp.9

In re Paternity of Stephanie RN, 498 NW 2d 235 - Wis: Supreme Court 1993..... pp.7

Hollister v. Hollister, 173 Wis. 2d 413, 496 N.W.2d 642 (Ct. App. 1992..... pp.8

Jaffee v. Redmond, 518 US 1 - Supreme Court 1996..... pp.8

<u>Jones v. Brennan, 465 F. 3d 304 - Court of Appeals, 7th Circuit 2006</u> .....	pp.7
<u>Haugen v. Haugen, 82 Wis.2d 411 (1978)</u> .....	pp.8
<u>May v. Sheahan, 226 F. 3d 876 - Court of Appeals, 7th Circuit 2000</u> .....	pp.7
<u>Schaefer v. Riegelman, 639 NW 2d 715 - Wis: Supreme Court 2002</u> .....	pp.8
<u>Sommer v. Carr, 299 NW 2d 856 - Wis: Supreme Court 1981</u> .....	pp.9
<u>Strid v. Converse, 331 NW 2d 350 - Wis: Supreme Court 1983</u> .....	pp.8
<u>United States v. Lee, 106 U. S., at 220</u> .....	pp.7

**APPELLATE RESPONSE TO:** *"The Fifth Amended Complaint filed by plaintiff in the Federal Action consisted of his meritless allegations"*

This is a false statement made by the Appellee. The United States Court of Appeals for the Seventh Circuit found it as fact that the guardian ad litem engaged in misconduct. **Appeal No. 22-3081** was dismissed for lack of subject matter jurisdiction and not based on the merits of his claims against the guardian ad litem.

The Final Disposition of the Federal Court Appeal states: *"...the children's guardian ad litem lied about Huiras' s mental health in a motion temporarily to suspend his visitation rights. The presiding judge granted the motion after a hearing that Huiras alleges was one-sided. The judge admitted the guardian's testimony that Huiras had spat on the guardian's lawn and a court-appointed counselor's testimony criticizing Huiras' s behavior during a video call with his children, but she excluded the recording itself and a report about his mental health and parenting skills."*

**APPELLATE RESPONSE TO:** *"There are multiple additional examples of plaintiff's harassing and abusive behavior to all professionals involved in the underlying Family Court Action, including Norris."*

It is not abusive to engage in constitutionally protected behavior such as petitioning the government. Megan McGee Norris is a child abuser for alienating the Appellant's children from their fit and loving father in her failure to present clear and convincing evidence to support such a strong claim.

**APPELLATE RESPONSE TO:** *"To satisfy Wis. Stat. § 802.02(1)(a), a complaint must plead facts, which if true, would entitle the plaintiff to relief. **Data Key Partners, 356 Wis. 2d 665, ¶ 21.**"*

The facts pled if true most definitely entitle the defendant to relief. No one (**EVEN A GUARDIAN AD LITEM**) is above the law to maliciously injure a parent's constitutional rights without affording them a due process trial providing clear and convincing evidence to a jury. If a state moves to destroy the bond between a child and their father, they must respect due process.

**APPELLATE RESPONSE TO:** *"a GAL must be free to investigate and marshal evidence unhampered by harassment, intimidation, the specter of future litigation, or any other interference with impartial decision-making."*

This is not a free pass to violate basic human rights such as fourth amendment medical privacy. No guardian ad litem has a right to maliciously injure a father's therapy-patient privilege. The GAL had two years where she abused discovery on the father and in her fishing expedition, she still failed to present clear and convincing evidence to the court supporting the removal of a father's constitutional right to care and custody of his biological offspring.

**APPELLATE RESPONSE TO:** Here, plaintiff's Petition and Petition Affidavit make painfully clear that plaintiff seeks to hold Norris liable in this action because of his disagreement with her judgment, conduct, and actions as GAL in the underlying Family Court Action.

This controversy is obviously beyond disagreement. This is personal. This guardian ad litem did not like that her malicious behaviors were petitioned to Federal Court, so she acted vindictively bankrupting the Appellant by falsely running up the bill on her hours worked. Defendant Norris even worked with the District Attorney to attempt to manufacture a malicious prosecution upon the Appellant in Case 2022CF000630.

**REQUEST FOR RELIEF**

Appellant requests relief that the above titled court VACATES all money judgments awarded in Case 2023CV000522.

Appellant requests that the trial court case final order is REVERSED and REMANDED for further proceedings. Any reasonable jury would find her actions as malicious and unreasonable.

**CONCLUSION**

The Appellant brought facts to the trial court case that clearly showed that the guardian ad litem acted with intent and malice towards him. The Appellant argued these facts intelligently presenting good case law. Therefore, the Case 2023CF000522 petition was not frivolous (Sommer v. Carr, 299 NW 2d 856 - Wis: Supreme Court 1981). No reasonable jury finding fact would find the Appellant's petition frivolous. The Trial Court official is a member of the Wisconsin BAR association in alliances with the respondent guardian ad litem's membership. The official chose to put his bias and allegiance towards the British Accredited Registry. This is why juries should find fact and not judges. Guardian Ad Litem are not immune to their vindictive and malicious behavior. The scope of Paige KB v. Molepske, 580 NW 2d 289 - Wis: Supreme Court 1998 is negligence only. Guardian Ad Litem are not to conceal the wishes of the child and they are also not to go outside the scope of their agency (Jones v. Brennan, 465 F. 3d 304 - Court of Appeals, 7th Circuit 2006), or they shall be liable for their actions.

Therefore, the trial court case shall be REVERSED and REMANDED for further proceedings.

Sincerely submitted on the 19th day of November 2023 without any ill will, vexation, or frivolity.



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