

FILED
04-16-2025
CLERK OF WISCONSIN
SUPREME COURT

STATE OF WISCONSIN

IN SUPREME COURT

Case No. 2023AP2311-CR

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

TOBIN J. JAGLA,

Defendant-Appellant-Petitioner.

PETITION FOR REVIEW

JENNIFER A. LOHR
State Bar No. 1085725

LOHR LAW OFFICE, LLC
583 D'Onofrio Dr., Suite 1011
Madison, WI 53719
(608) 515-8106
jlohr@lohrlawoffice.com

Attorney for Tobin J. Jagla

TABLE OF CONTENTS

ISSUES PRESENTED.....	3
CRITERIA FOR REVIEW.....	4
STATEMENT OF THE FACTS.....	6
ARGUMENT.....	13
I. Legal principles and standard of review.....	13
II. This Court should grant review and determine that the sole fact that a registered owner has not been issued a Wisconsin license does not support reasonable suspicion of a traffic violation	15
CONCLUSION.....	21
CERTIFICATIONS.....	22

PETITION FOR REVIEW

Tobin J. Jagla, Defendant-Appellant, hereby petitions the Supreme Court of the State of Wisconsin, pursuant to Wis. Stat. § 808.10 and Wis. Stat. § (Rule) 809.62 to review the decision or order of the Court of Appeals, District III, in *State v. Jagla*, No. 2023AP2311-CR (Wis. Ct. App. Mar. 18, 2025) (unpublished). (Pet-App. 3-15.)

ISSUES PRESENTED

Tobin Jagla was pulled over after an officer saw him pumping gas and driving out of a gas station just after midnight, ran the plates of the vehicle he was driving, and learned that the registered owner had not been issued a Wisconsin driver's license.

- I. Was the stop of the vehicle, based solely on the officer's knowledge that the registered owner had not been issued a Wisconsin driver's license, unreasonable under the Fourth Amendment given Wisconsin law provides exemptions to the license requirement and the officer had no knowledge whether the registered owner fell within an exemption?

The court circuit court denied the suppression motion. (71:35-37; Pet-App.47-49.) The court of appeals affirmed. (Pet-App. 3-15.)

CRITERIA FOR REVIEW

This case raises constitutional questions regarding a defendant's constitutional right to be free from unreasonable seizures. This petition argues Mr. Jagla's right was violated when law enforcement stopped his vehicle without reasonable suspicion that he had committed a crime or traffic offense. As such, this case directly implicates the Fourth and Fourteenth Amendments to the United States Constitution, as well as Art. I, § 11 of the Wisconsin Constitution. *See* Wis. Stat. (Rule) 809.62(1r)(a).

Mr. Jagla was pulled over after an officer saw him pumping gas and driving out of a gas station just after midnight, ran the plates of the vehicle he was driving, and learned that the registered owner had not been issued a Wisconsin driver's license. Mr. Jagla moved to suppress evidence seized from the vehicle on the basis that the officer lacked reasonable suspicion for the traffic stop. The circuit court held that the stop was justified by reasonable suspicion "solely" because the officer believed that Mr. Jagla was the registered owner of the vehicle and was violating traffic laws by driving without a valid driver's license. (71:37; Pet-App.49.) Mr. Jagla challenged this holding because the circuit court incorrectly applied the law when it pronounced that "case law in Wisconsin is clear...[that] if officers are aware of a vehicle moving on a highway or roadway, and the registered owner of that vehicle...does not have a valid driver's license, officers are able to execute the stop without further investigation." (71:35-36; Pet-App.47-48.)

The Fourth and Fourteenth Amendments of the United States Constitution and article I, section 11 of the Wisconsin Constitution protect citizens from unreasonable searches and seizures. *State v. Griffin*, 131 Wis. 2d 41, 50, 388 N.W.2d 535 (1986). The Fourth Amendment requires a police officer to have “particularized reasonable suspicion” that a crime or non-criminal traffic violation has been or is being violated before performing a traffic stop. *State v. Richey*, 2022 WI 106, ¶ 1, 405 Wis. 2d 132, 983 N.W.2d 617.

Wisconsin law prohibits operating a motor vehicle without possessing “a valid operator’s license issued to the person by the department which is not revoked, suspended, canceled or expired.” Wis. Stat. § 343.05(3)(a). But Wisconsin law also provides exemptions to the general requirement that operators of a motor vehicle possess a valid driver’s license issued by the Wisconsin Department of Transportation. Wis. Stat. § 343.05(4)(b) (listing exemptions to licensing requirements for the operation of noncommercial vehicles). Thus, driving a Wisconsin registered vehicle without a Wisconsin-issued license is not always a criminal or traffic offense. This petition raises the question of whether, without additional information suggesting that the registered owner would be in violation of criminal or traffic laws by driving without a valid Wisconsin license, there can be reasonable suspicion of a traffic offense.

In addition to presenting real and significant questions of constitutional law, the resolution of the questions in this case will have statewide impact and clarify the law regarding how the existence of exemptions to the license requirement impacts the question of reasonable suspicion for traffic stops. *See* Wis. Stat. (Rule) 809.62(1r)(c)2, 3. For these reasons, this Court should grant review.

STATEMENT OF FACTS

The defendant, Tobin J. Jagla, entered a guilty plea after the denial of his suppression motion, to operating while intoxicated (8th offense), contrary to Wis. Stat. § 346.63(1)(a). (62.)

Mr. Jagla was pulled over shortly after leaving a gas station just after midnight on October 27, 2022, by Officer Dustin Muenster. (56:5-6.) Muenster had been conducting a routine patrol of the gas station, had seen Mr. Jagla pumping gas at the gas station, and ran the plates of the vehicle Mr. Jagla was driving. (56:5.) The records check showed that the vehicle was registered to a man named Santos Garcia, who had not been issued a Wisconsin driver's license. (56:5, 10.) Based only on that information, Muenster conducted a traffic stop on the vehicle. (56:5, 10)

Muenster contacted Mr. Jagla at the vehicle and, based on his observations of Mr. Jagla, arrested him for operating while intoxicated. (56:6-7.) The State charged Mr. Jagla with operating while

intoxicated (8th) and operating while revoked (due to alcohol-related offense). (4:1-2.)

Suppression Motion

Mr. Jagla moved to suppress evidence seized from the traffic stop on the basis that the officer lacked reasonable suspicion for the traffic stop. (19.)

At the suppression hearing, Officer Muenster testified that he was working as a patrol officer in the early morning hours of October 27, 2022, when he pulled into the Oneida One Stop gas station to conduct a routine check of the area. (71:6-7, 10-11; Pet-App.18-19, 22-23.) Muenster observed Mr. Jagla pumping gas, then entering the driver's seat of a vehicle. (71:7; Pet-App.19.) At that time, Muenster did not know who Mr. Jagla was. (71:7-8; Pet-App.19-20.) Muenster testified that he observed "a brief outfit of what the person was wearing. I could see that they had general features of a male. I was not specifically looking at the male. I was more focused on the business and the surroundings, the male being part of that." (71:17-18; Pet-App.29-30.)

In between observing Mr. Jagla pumping gas and checking the vehicle records, Muenster drove behind the gas station to shine lights around parked vehicles in a back lot, looking for suspicious behavior. (71:18; Pet-App.30.) As he pulled back in front of the gas station, Muenster observed the vehicle Mr. Jagla was driving exit the gas station and he ran the license plate as it entered the roadway. (71:8; 18-19 App.20, 30-31.) At that time, Muenster could see Mr. Jagla's

“features, what he’s wearing, nothing really further than that.” (71:18; Pet-App.30.)

As a result of the records check, Muenster received a description of the vehicle and information regarding the owner, including the owner’s name, date of birth and residential address. (71:8-9; Pet-App.20-21.) The name of the sole registered owner of the vehicle was Santos Garcia. (71:9, 20; Pet-App.21, 32.) Muenster then ran Garcia’s driving history and learned that Garcia had not been issued a Wisconsin driver’s license. (71:9, 21; Pet-App.21, 33.) Muenster testified that he did not know Garcia or anything about him, other than that he was male and did not have a license. (71:9-10, 28-29; Pet-App.21-22, 40-41.) The driving history indicated that Garcia had never been issued a Wisconsin driver’s license – not that he had had a license that was then suspended or revoked. (71:25, 28; Pet-App.37, 40.) Garcia’s driving history did not automatically load an associated picture, and Muenster chose not to pull one up to see if it matched the person he saw at the gas station pump. (71:20-21, 27-28; Pet-App.32-33, 39-40.)

Muenster knew that it was possible to register a vehicle in Wisconsin despite not having a Wisconsin license, testifying, “I am not entirely sure how, but you can register a vehicle and not have a driver’s license issued.” (71:28; Pet-App.40.) He testified that it was “quite common” in his experience for a registered owner of a vehicle to have no license issued. (71:29; Pet-App.41.) Muenster testified that at the time he

reviewed Garcia's driving history, he understood that to be the case in this situation. (71:28; Pet-App.40.)

Muenster observed nothing suspicious at the gas station, no equipment violations on the vehicle, nor any driving violations. (71:17-19, 22; Pet-App.29-31, 34.) His reason for running the vehicle's plate as it left the gas station was simply to investigate given the midnight hour. (71:17, 19; Pet-App.20, 31.) Muenster testified that his reason for pulling over the vehicle was the records check showing that the sole registered owner, who was male, did not have a license and that he observed a male at the pumps. (71:23; Pet-App.35.) He testified that he did not pull up the photo of the registered owner even after stopping the vehicle because, "[y]ou already have the reasonable suspicion for the stop. I don't feel like it's necessary to look up a photo of the individual if you already have a reason to make contact with the driver of the vehicle." (71:23-24; Pet-App.35-36.)

During cross-examination of the officer, Mr. Jagla played surveillance video from the gas station depicting Mr. Jagla pumping gas and Officer Muenster's squad car patrolling the gas station area. (71:13-15; Pet-App.25-27.)¹ The court made the following findings based on the video:

[A]t approximately...12:03:55 is when the officer first passed the defendant's vehicle. The

¹ The video was admitted as Exhibit 1 during the hearing. The exhibit is labeled Item 81-1 in the appellate record. (84.)

officer then...went to the back of the building, and then came back past the defendant's vehicle at 12:05:00. The defendant's vehicle started moving at 12:05:18, and – to leave. And then the red and blue just went on right there at that last camera at 12:06:20 down the highway.

(71:16; Pet-App.28.)

The court made the following findings of fact based on the testimony:

In this case, the facts are that the officer was on routine patrol, came across the defendant's vehicle, the defendant was pumping gas into a vehicle, the officer went about his business, came back around to the vehicle a second time and ran the license plate of that vehicle. At that time, the officer learned that the vehicle was properly registered, and that it was registered to an individual by the name of Santos Garcia. The officer then ran...a DOT records check involving Santos Garcia, and received a driver history that indicated that Mr. Garcia never had a valid driver's license.

You know, nobody mentioned this, but I think it's in the filings, Santos Garcia's date of birth is 1958. I am not sure what race or other information he had, nobody introduced it, but there was a male, and Mr. Jagla is a male. Mr. Jagla's date of birth is 1963, so, you know, there's a few year difference, but it's not like an 18-year-old compared to a 65-year-old. And I'm not even

sure if the officer had that information. Nobody asked that. But we have a male driving, and a male who is a registered owner of the vehicle who doesn't have a license, and the officer knew that and then exercised the stop on that basis alone.

(71:31-32; Pet-App.43-44.)² The court further found, “I believe I asked [the officer] if he knew Santos Garcia, because I think if he knew who he was, or what he was about and what he looked like, and I think the officer answered no, he had no idea who Garcia was, and he had no idea who Mr. Jagla was.” (71:33; Pet-App.45.)

Circuit Court Ruling on Suppression

The court denied the suppression motion, holding that “the case law in Wisconsin is clear” that “if officers are aware of a vehicle moving on a highway or roadway, and the registered owner of that vehicle is – does not have a valid driver’s license, officers are able to execute the stop without further investigation. Unless, based on what they know from their personal observations or the information they have, that the person driving can’t be that person.” (71:35-36; Pet-App.47-48.) The court further held that “the reasonable suspicion to support the stop was based solely from the officer believing that there was

² Defense counsel referred to the same officer’s testimony during the preliminary hearing in which the officer agreed that Santos Garcia was “a Mexican individual.” (71:32; Pet-App.44, citing 56:10.) The court noted that it had presided over the preliminary hearing and accepted the information from that hearing as part of the record it was relying on in deciding the suppression motion. (71:36; Pet-App.48.)

reasonable suspicion that the driver on that morning, past midnight, was the individual who was a registered owner, Santos Garcia, and that Santos Garcia did not have a valid driver's license, so the stop was lawful.” (71:37; Pet-App.49.)

Mr. Jagla pled no contest to operating while intoxicated (8th). (72:10.) Pursuant to the plea agreement, the charge of operating while revoked was dismissed on the prosecutor’s motion. (52.) The court sentenced Mr. Jagla to five years of initial confinement and five years of extended supervision, consecutive to any other sentence. (73:26; 62.)

Appeal

Mr. Jagla appealed the circuit court’s denial of his suppression motion, arguing that the circuit court incorrectly applied the law when it held that “if officers are aware of a vehicle moving on a highway or roadway, and the registered owner of that vehicle...does not have a valid driver’s license, officers are able to execute the stop without further investigation.” (71:35-36; Pet-App.47-48.) Mr. Jagla argued that exemptions to Wisconsin’s license requirements which allow some drivers to operate a Wisconsin-registered vehicle within the state even without possessing a valid Wisconsin-issued driver’s license, contradicted the circuit court’s holding and that law enforcement could not reasonably suspect him of a traffic offense because he lacked a Wisconsin-issued license alone. Mr. Jagla also argued that, even if law enforcement had reasonable suspicion that Santos Garcia was committing a traffic offense, his

observations of Mr. Jagla provided additional facts that dispelled a reasonable suspicion that Mr. Jagla was Santos Garcia.

The court of appeals affirmed the denial of the suppression motion. (Pet-App.3-15.) The court held that the officer could reasonably assume that the driver of the vehicle was the sole registered owner, and that the officer was not required to rule out the applicability of any exemptions to the license requirement before finding reasonable suspicion of a traffic violation. (Pet-App.11-13.) The court further concluded that the officer did not make any observations that would dispel his belief that the registered owner may be driving the vehicle. (Pet.-App.14.)

ARGUMENT

I. Legal principles and standard of review

The Fourth Amendment of the United States Constitution and article I, section 11 of the Wisconsin Constitution protect citizens from unreasonable searches and seizures. *State v. Griffin*, 131 Wis. 2d 41, 50, 388 N.W.2d 535 (1986). The two provisions are nearly identical and the basic purpose of both is “to safeguard the privacy and security of individuals against arbitrary invasions by government officials.” *Id.* (internal quotes omitted). Traffic stops are seizures; therefore, a traffic stop must be constitutionally reasonable, or any evidence obtained therefrom is inadmissible. *State v. Popke*, 2009 WI 37,

¶ 11, 317 Wis. 2d 118, 765 N.W.2d 569. The burden is on the State to prove that a stop meets the constitutional standards. *State v. Post*, 2007 WI 60, ¶ 12, 301 Wis. 2d 1, 733 N.W.2d 634.

The Fourth Amendment requires a police officer to have “particularized reasonable suspicion” that a crime or non-criminal traffic violation has been or is being violated before performing a traffic stop. *State v. Richey*, 2022 WI 106, ¶ 1, 405 Wis. 2d 132, 983 N.W.2d 617; *State v. Houghton*, 2015 WI 79, ¶ 30, 364 Wis. 2d 234, 868 N.W.2d 143. Reasonable suspicion depends on an officer’s ability to “point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.” *Terry v. Ohio*, 392 U.S. 1, 21, 88 S.Ct.1868 (1968). In determining reasonableness, the court examines “whether the facts of the case would warrant a reasonable police officer, in light of his or her training and experience to suspect that an individual is committing, is about to commit or has committed an offense.” *Post*, 2007 WI 60, ¶ 13. A determination of reasonable suspicion is made based on the totality of the circumstances. *Id.*, ¶ 14.

An officer’s knowledge that a vehicle’s owner’s license is revoked will support reasonable suspicion the registered owner was driving with a revoked license, “so long as the officer remains unaware of any facts that would suggest the owner is not driving.” *State v. Newer*, 2007 WI App 236, ¶ 2, 306 Wis. 2d 193, 742 N.W.2d 923; *Kansas v. Glover*, 140 S. Ct. 1183, 1190 (2020). However, “the presence of additional facts

might dispel reasonable suspicion,” in which case, “the totality of the circumstances would not raise a suspicion that the particular individual being stopped is engaged in wrongdoing.” *Id.* at 1191 (internal quotes omitted).

Whether there a traffic stop is supported by reasonable suspicion is a question of constitutional fact, to which appellate courts apply a two-step standard of review. *Post*, 2007 WI 60, ¶ 8. First, the court will review the circuit court’s findings of historical fact and uphold them unless they are clearly erroneous. *Id.* Second, the circuit court’s determination of reasonable suspicion cause to make a traffic stop will be reviewed de novo. *Id.*

Where an unlawful search or seizure occurs, the remedy is to suppress the evidence produced. *State v. Carroll*, 2010 WI 8, ¶ 19, 322 Wis. 2d 299, 778 N.W.2d 1; *Wong Sun v. United States*, 371 U.S. 471, 487-88 (1963).

II. This Court should grant review and determine that the sole fact that a registered owner has not been issued a Wisconsin license does not support reasonable suspicion of a traffic violation

At the time of the traffic stop, Officer Muenster knew that the registered owner of the vehicle that Mr. Jagla was driving had never been issued a Wisconsin license. This is different from learning that the owner had a revoked or suspended license, which would provide reasonable suspicion that the owner was

driving in violation of Wis. Stat. § 343.44(1)(b) (forbidding operating while suspended or revoked). *See State v. Newer*, 2007 WI App 236, ¶ 5, 306 Wis. 2d 193, 742 N.W.2d 923.

Wisconsin law provides exemptions to the general requirement that operators of a motor vehicle possess a valid driver's license issued by the Wisconsin Department of Transportation. Wis. Stat. § 343.05(4)(b) (listing exemptions to licensing requirements for the operation of noncommercial vehicles). For example, nonresidents of Wisconsin and nonresidents of the United States are exempted from the requirement of possession a Wisconsin driver's license, *id.*, as are new residents of Wisconsin who have resided in the state for fewer than 60 days. Wis. Admin. Code § Trans 102.14(4)(b). Because the law provides exemptions to the general license requirement, the knowledge that a valid Wisconsin license has not been issued *by itself* is insufficient to provide reasonable suspicion of a traffic violation. *Terry v. Ohio*, 392 U.S. 1, 2 (1968) (a search based on an "inchoate and unparticularized suspicion or 'hunch'" fails the constitutional test).

Thus, Officer Muenster did not have reasonable suspicion that the registered owner would be in violation of Wis. Stat. § 343.44(1)(b) (forbidding operating while suspended or revoked), as the officer did in *Newer*. 306 Wis. 2d 193, ¶ 5. When Officer Muenster ran the records check on the vehicle, the information he obtained was limited to the following: the sole registered owner of the vehicle was Santos

Garcia and Garcia had not been issued a Wisconsin driver's license. (71:25, 28; Pet-App.26, 29.) Officer Muenster had no knowledge of whether Garcia was a Wisconsin (or United States) resident, when Garcia had established residency if he was, or whether Garcia was exempt from the requirement to possess a Wisconsin license for another reason under Wis. Stat. § 343.05(4)(b). Based on the limited facts known to Officer Muenster, there was no reasonable basis to suspect that the person operating the vehicle was doing so illegally.

The court of appeals previously held similarly in an unpublished decision in *State v. Palaia*, 2017 Wis. App. 7 (No. 2016AP467-CR, Dec. 30, 2016, unpublished) (Pet.App.50-58.)³ There, an officer stopped a vehicle with a Wisconsin license plate after running a registration check which revealed two registered owners, one of whom had not been issued a Wisconsin license. *Id.*, ¶ 2. The officer could not recall whether he ran a registration check on the second owner and did not determine whether either owner possessed any other valid license. *Id.* The officer stopped the vehicle solely because no license had been issued to one of the vehicle owners. *Id.*, ¶ 3. The officer was unable to observe the driver before making the stop. *Id.* At the suppression hearing, the defendant offered proof that she and her spouse (the two owners

³ *State v. Palaia*, 2017 Wis. App. 7 (No. 2016AP467-CR, Dec. 30, 2016, unpublished) is a one-judge authored opinion decided pursuant to Wis. Stats. § 752.31(2) and is cited for its persuasive value pursuant to Wis. Stat. § 809.23(3)(b).

of the vehicle) were exempt from the requirement to possess a Wisconsin driver's license because her spouse was an active-duty member of the Armed Forces serving in Wisconsin. *Id.*, ¶ 4.

The court of appeals reversed the denial of Palaia's suppression motion, distinguishing the case from *Newer* and other cases applying *Newer*, in which cases "the officer knew the operation of the vehicle by one of the vehicle owners was illegal." *Id.*, ¶ 10. Based on Wisconsin's statutory scheme providing exemptions to the requirement to possess a Wisconsin driver's license, and the limited facts known to the officer at the time of the traffic stop, the court held that there was no reasonable basis to suspect the person operating the vehicle was doing so illegally: "The fact that one of the vehicle's two owners lacks a Wisconsin license, without more information, does not mean an owner is driving illegally." *Id.*, ¶¶ 9-10.

Further, the court found that it was not reasonable to infer that the fact that the vehicle had Wisconsin license plates and was registered in Wisconsin did not support an inference that the owners were Wisconsin residents violating licensing requirements: "given the mobility of modern society, the jurisdiction of a vehicle's registry or where that vehicle is observed on the road does not necessarily provide information as to where a vehicle's *owner* resides, let alone that the vehicle's owner has resided in this state for over sixty days or that the owner did not meet other licensing exceptions." *Id.*, ¶ 12 (emphasis in original).

Here, as in *Palaia*, Officer Muenster failed to “objectively discern wrongful conduct based upon specific, articulable facts” that would permit a reasonable suspicion that a traffic offense was being committed. *Id.*, ¶ 13. Muenster testified that he knew it was possible to register a vehicle in Wisconsin despite not having a Wisconsin-issued license, and that it was “quite common” in his experience for a registered owner of a vehicle to have no license issued. (71:28-29; Pet-App.29-30.) Muenster testified that at the time he reviewed Garcia’s driving history, he understood that to be the case in this situation. (71:28; Pet-App.29.)

The court of appeals held that because law enforcement is not required to rule out innocent explanations, “[t]he possibilities that the driver was not the registered owner or that the owner was exempt from the requirement to possess a Wisconsin driver’s license did not diminish Muenster’s reasonable suspicion that the driver was violating Wis. Stat. § 343.05(3)(a).” (Pet.-App.13.) But reasonable suspicion is evaluated based on the totality of the circumstances. Where the sole basis for suspecting a violation is that the owner had never been issued a Wisconsin driver’s license, the totality of the circumstances do not raise suspicion of a traffic violation when the exemptions are considered, because there was no reason to suspect that the registered owner had had his license revoked or suspended. Ignoring the existence of exemptions to the license requirement has the result of “cover[ing] conduct that many innocent drivers commit” and thus “permit[s] the arbitrary invasions of privacy by

governmental officials addressed by the Fourth Amendment and Article I, Section 11.” *Post*, 2007 WI 60, ¶ 21.

Driving a Wisconsin registered vehicle without a Wisconsin-issued license is not always a criminal or traffic offense. Without additional information suggesting that the registered owner would be in violation of criminal or traffic laws by driving without a valid Wisconsin license, Officer Muenster lacked reasonable suspicion to stop the vehicle. *State v. Anderson*, 2019 WI 97, ¶ 32, 389 Wis. 2d 106, 935 N.W.2d 285 (an officer must have a particularized and objective basis for suspecting the person stopped of criminal activity); *Terry*, 392 U.S. at 27 (a stop based on an “inchoate and unparticularized suspicion or ‘hunch’” fails the constitutional test). The burden was on the State to show specific, articulable facts permitting reasonable suspicion that a traffic offense was being committed; it failed to do so here, and the evidence should have been suppressed.

CONCLUSION

For the reasons presented herein, this Court should grant review of this case.

Dated this 16th day of April, 2025.

Respectfully submitted,

Electronically signed by:

JENNIFER A. LOHR
State Bar No. 1085725

LOHR LAW OFFICE, LLC
583 D'Onofrio Dr., Suite 1011
Madison, WI 53719
(608) 515-8106
jlohr@lohrlawoffice.com

Attorney for Tobin J. Jagla

CERTIFICATION AS TO FORM/LENGTH

I hereby certify that this petition conforms to the rules contained in §§ 809.19(8)(b) and (bm) and 809.62(4). The length of this petition is 4,619 words.

CERTIFICATION AS TO APPENDIX

I hereby certify that filed with this petition is an appendix that complies with s. 809.19(2)(a) and that contains, at a minimum: (1) a table of contents; (2) the findings or opinion of the circuit court; (3) a copy of any unpublished opinion cited under s. 809.23(3)(a) or (b); and (4) portions of the record essential to an understanding of the issues raised, including oral or written rules or decisions showing the circuit court's reasoning regarding those issues.

I further certify that if this appeal is taken from a circuit court order or judgment entered in a judicial review or an administrative decision, the appendix contains the findings of fact and conclusions of law, if any, and final decision of the administrative agency.

I further certify that if the record is required by law to be confidential, the portions of the record included in the appendix are reproduced using one or more initials or other appropriate pseudonym or designation instead of full names of persons, specifically including juveniles and parents of juveniles, with a notation that the portions of the record have been so reproduced to preserve confidentiality and with appropriate references to the record.

Dated this 16th day of April, 2025.

Electronically signed by:

JENNIFER A. LOHR
State Bar No. 1085725

LOHR LAW OFFICE, LLC
583 D'Onofrio Dr., Suite 1011
Madison, WI 53719
(608) 515-8106
jlohr@lohrlawoffice.com

Attorney for Tobin J. Jagla