

FILED
10-10-2025
CLERK OF WISCONSIN
COURT OF APPEALS

STATE OF WISCONSIN
COURT OF APPEALS
DISTRICT II
Case No. 2025AP001179-CR
Circuit Court No. 2020CM306

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

CLINTON J. ADAMS,

Defendant-Appellant.

ON APPEAL FROM A JUDGMENT OF CONVICTION
ENTERED IN THE MANITOWOC COUNTY CIRCUIT
COURT, THE HONORABLE JERILYN M. DIETZ,
PRESIDING

BRIEF OF PLAINTIFF-RESPONDENT

Jordan W. Feest
Assistant District Attorney
State Bar #1097566

Attorney for Plaintiff-Respondent

Manitowoc County District Attorney
1010 South 8th Street
Manitowoc, WI 54220
(920) 683-4070
(920) 683-5046 (Fax)
Jordan.feest@da.wi.gov

TABLE OF CONTENTS

STATEMENT OF ISSUES..... 4

STATEMENT ON ORAL ARGUMENT AND PUBLICATION..... 5

STATEMENT OF THE CASE 4-5

STANDARD OF REVIEW 6

ARGUMENT 6

 The evidence at trial was sufficient to support the jury’s guilty verdict..... 6

 A. To show that a jury verdict was not supported by sufficient evidence, a defendant must show that no reasonable view of the evidence could support the verdict..... 6

 B. Sufficient evidence at trial proved Adams is guilty..... 7

CONCLUSION..... 9

TABLE OF AUTHORITIES

Cases

<i>State v. Beamon</i> , 2013 WI 47, 347 Wis. 2d 559, 830 N.W.2d 681.....	6
<i>State v. Below</i> , 2011 WI App 64, 333 Wis. 2d 690, 799 N.W.2d 95.....	7
<i>State v. Doss</i> , 2008 WI 93, 312 Wis. 2d 570, 754 N.W.2d 150.....	6
<i>State v. Hayes</i> , 2004 WI 80, 273 Wis. 2d 1, 681 N.W.2d 203.....	6
<i>State v. Poellinger</i> , 153 Wis. 2d 493, 451 N.W.2d 752 (1990)	6, 7, 8

ISSUE PRESENTED

Was there sufficient evidence at trial for the jury to find Adams guilty of knowingly violating a domestic abuse order injunction?

The circuit court answered “yes” when it denied Adams’ motion for judgment notwithstanding the verdict and entered the judgment of conviction.

This Court should answer “yes,” and affirm.

STATEMENT ON ORAL ARGUMENT AND PUBLICATION

The State requests neither oral argument nor publication, as the arguments are fully developed in the parties’ briefs, and the issues presented involve only the application of well-established principles to the facts of this case.

STATEMENT OF THE CASE

The State filed a criminal complaint against Clinton J. Adams on April 28, 2020, alleging one count of Knowingly Violate a Domestic Abuse Injunction, as a repeater, contrary to sec. 813.12(4)&(8)(a), 939.62(1)(a) Wis. Stats., in Manitowoc County case number 2020CM306. (R. 2:1).

A jury trial was originally set on May 23, 2022, but resulted in a mistrial after brief testimony. The matter was then reset to be tried to a jury on October 11, 2023.

After the jury trial and deliberation on October 11, 2023, the jury returned a verdict of guilty. (R. 126:124).

At trial, the victim, H.K, testified first. (R. 126:53). She explained that she was in a prior relationship with Mr. Adams for 11 years before seeking an order of protection against him. (R. 126:54). She further testified that the court granted her request for an injunction against Mr. Adams for a period of 10

years in case number 19CV497 for her and her children. (R. 126:56).

Faith Stewart, of the clerk of courts office, testified regarding the authenticity of the injunction and proof of service. (R. 126:65-66, 109: 1-3, 8).

In March of 2020, just a few months after the injunction was ordered, H.K. took a vacation to Key West, Florida, with her daughter. (R. 126:56). Her daughter, T.F., lives in Michigan. (R. 126:56).

Upon returning from vacation, T.F. notified H.K. that she received a message from Mr. Adams on Facebook Messenger. (R. 126:57). H.K. told T.F. not to reply and not to delete the message before contacting law enforcement by phone and speaking with police in person. (R. 126:57). H.K. also provided law enforcement a screenshot of the message from “Clinton John Adams” that read “I need to speak with your mom ASAP.” (R. 126:59, 109:4).

T.F. also testified and confirmed she went on vacation with her mother, H.K, in 2020. (R. 126:70). She indicated she knew the message came from Mr. Adams because “just the name was Clinton J. Adams.” (R. 126:70).

Lastly, Officer Joseph Vanoss of the Kiel Police Department testified that he had been employed with the Kiel Police Department for almost four years and due to the size of the agency, he handles a variety of matters (R. 126:75). He also indicated he was familiar with Facebook, knows that you have to log in, knows that Facebook accounts are password protected, knows that Facebook accounts are associated with individual emails, and knows that Facebook messages list the given names on those profiles. (R. 126:85).

Officer Vanoss was the lead investigator on the case and spoke with H.K. via phone and in person. (R. 126:76). He testified H.K. provided him with a screenshot of the message and background information. (R. 126:76). He then reviewed

the message and the underlying injunction before referring a “charge of violating a no contact” to the district attorney’s office. (R. 126:78).

The jury returned a verdict of guilty. (R. 126:124).

At sentencing on October 27, 2023, Judge Dietz ordered Mr. Adams to serve 6 months in the Manitowoc County Jail. (R. 125:11, 88:1).

STANDARD OF REVIEW

A reviewing court upholds a jury’s verdict “unless the evidence, viewed most favorably to the State and to the conviction, is so insufficient as a matter of law that no reasonable trier of fact could have found guilt beyond a reasonable doubt.” *State v. Doss*, 2008 WI 93, ¶ 21, 312 Wis. 2d 570, 754 N.W.2d 150 (citing *State v. Poellinger*, 153 Wis. 2d 493, 501, 451 N.W.2d 752 (1990)).

ARGUMENT

The evidence at trial was sufficient to support the jury’s guilty verdict.

A. To show that a jury verdict was not supported by sufficient evidence, a defendant must show that no reasonable view of the evidence could support the verdict.

“[A] defendant challenging the sufficiency of the evidence bears a heavy burden to show the evidence could not reasonably have supported a finding of guilt.” *State v. Beamon*, 2013 WI 47, ¶ 21, 347 Wis. 2d 559, 830 N.W.2d 681. An appellate court’s review is “very narrow,” and the court must “give great deference to the determination of the trier of fact.” *State v. Hayes*, 2004 WI 80, ¶ 57, 273 Wis. 2d 1, 681 N.W.2d 203 (quoting *Poellinger*, 153 Wis. 2d at 507). “[T]he trier of fact is the sole arbiter of the credibility of the

witnesses and alone is charged with the duty of weighing the evidence.” *State v. Below*, 2011 WI App 64, ¶4, 333 Wis. 2d 690, 799 N.W.2d 95.

If any possibility exists that the trier of fact could have drawn the appropriate inferences from the evidence adduced at trial to find the requisite guilt, an appellate court may not overturn a verdict, even if it believes the trier of fact should not have found guilt based on the evidence. *Poellinger*, 153 Wis. 2d at 507. If multiple inferences can be drawn from the evidence, this Court must follow the inference that supports the jury’s finding “unless the evidence on which that inference is based is incredible as a matter of law.” *Id.* Whether the evidence is direct or circumstantial, the sufficiency of the evidence test is the same. *Id. at 501.*

B. Sufficient evidence at trial proved Adams guilty.

To prove Adams guilty of violating an injunction, the jury had to find that: (1) an injunction was issued against Mr. Adams, (2) Mr. Adams committed an act that violated the terms of the injunction, and (3) Mr. Adams knew that the injunction had been issued and knew that his acts violated its terms. (R. 105:4-5).

Adams does not dispute that there was an injunction issued against him. (R. 126:118). The evidence at trial was sufficient to prove that Adams knew the injunction had been issued and he knew that his act violated its terms. Faith Stewart from the clerk of court testified that proof of service was filed in case number 19CV497, so the evidence on its face was plainly sufficient regarding Adams’ knowledge of the injunction.

Adams argues that there was insufficient evidence to prove he committed an act that violated the terms of the injunction. But the evidence presented to the jury was easily

sufficient to prove that he sent the message which violated the terms of the injunction.

The jury heard testimony from H.K. that she saw the screenshot of a Facebook message from “Clinton John Adams” reading “I need to speak with your mom ASAP.” (R. 126:59, 109:4). T.F. confirmed the same. (R. 126:70).

The jury also heard testimony that Officer Van Oss reviewed the message along with the injunction and referred a charge to the district attorney’s office. (R. 126:76). It also heard that Officer Van Oss is familiar with Facebook, knows that you have to log in, knows that Facebook accounts are password protected, knows that Facebook accounts are associated with individual emails, and knows that Facebook messages list the given names on those profiles. (R. 126:85).

In summary, the evidence at trial, showed that Mr. Adams violated the injunction. The message was sent by “Clinton John Adams” and read “I need to speak with your mom ASAP.” H.K. and T.F. do not share last names, so only someone with the knowledge of their relationship would refer to her as “your mom.” Or, would simply just contact H.K. directly if there was not an order prohibiting such contact. Any reasonable jury would have found that Adams sent the message. There was no contrary evidence, and no other reasonable inference to draw. The evidence was easily sufficient to support the jury’s guilty verdict. *Poellinger*, 153 Wis. 2d at 507.

CONCLUSION

This Court should affirm the judgment of conviction.

Dated: October 10, 2025.

Respectfully submitted,

Electronically signed by:

Jordan W. Feest
JORDAN W. FEEST
Assistant District Attorney
State Bar #1097566

Attorney for Plaintiff-Respondent

Manitowoc County District Attorney
1010 South 8th Street
Manitowoc, WI 54220
(920) 683-4070
(920) 683-5046 (Fax)
Jordan.feest@da.wi.gov

FORM AND LENGTH CERTIFICATION

I hereby certify that this brief conforms to the rules contained in Wis. Stat. § (Rule) 809.19(8)(b), (bm) and (c) for a brief. The length of this brief is 1,729 words.

Electronically signed by:

Jordan W. Feest
JORDAN W. FEEST
Assistant District Attorney

CERTIFICATE OF EFILE/SERVICE

I also hereby certify that I have submitted an electronic copy of this brief which complies with the requirements of Wis. Stat. § 809.19(12).

Dated this 10th day of October 2025.

Electronically signed by:

Jordan W. Feest
JORDAN W. FEEST
Assistant District Attorney