

15AP0902

Improved Appellant Brief

District 3

Wisconsin Court of Appeals

State of Wisconsin (Plaintiff - Respondent)

versus

David Reidinger (Defendant - Appellant)

Appeal number 2015AP000902

Eau Claire County

From the Circuit Court of Judge Kristina Bourget

Circuit Court case number 2014FO002540

Submitted by
David Reidinger

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June 29, 2015

The appellant appreciates Judge Stark's assistance in improving this brief.

Improved Appellant Brief for State of Wisconsin v. David Reidinger

Appeal number 2015AP000902

I. Sequence of Events

The Appellant, David Reidinger, is a United States citizen. He is involved in a major struggle with the University of Wisconsin System administration over an enormous grade fraud scandal at the University of Wisconsin-Madison. This may be confirmed by viewing "The Critical Badger" page on Wikipedia. The appellant strongly suspects that the UW System administration is using the campus police and District Attorney's office in Eau Claire to conduct a policy of improper and illegal harassment against the appellant (see trial transcript, document 11, page 15). Judge Bourget's recent resignation is likely over this activity.

This harassment has taken the form of two citations for Disorderly Conduct from the campus police. The first, issued in June 2013, alleged that the appellant's viewing of legal adult material at McIntyre library was illegal. Eau Claire County Judge William Gabler disagreed and dismissed the citation on August 19, 2013 (see trial transcript, document 11, page 16). No appeal was filed.

The harassment was renewed in December 2014 with a second citation at McIntyre library. Again, it was alleged that the appellant's viewing of legal adult material at McIntyre library was illegal. Eau Claire County Judge Kristina Bourget upheld the citation on April 6, 2015 (see trial transcript, document 11, page 17). The appeal was filed on May 1, 2015, the trial transcript became available on May 15, 2015, and Judge Bourget then resigned on May 19, 2015.

II. Issues and Legal Standards

The primary legal questions in this case is this: does an adult have the right to view legal adult material at a public library? In Stanley v. Georgia (1969) and Reno v. American Civil Liberties Union (1997) the United States Supreme Court established the right of an adult to view legal adult material at a public library. It is part of an adult's basic First Amendment rights and privacy rights. These are the standards Judge Gabler followed in 2013. Judge Bourget admitted these rights exist, but ignored them (see trial transcript, document 11, page 17)

III. Argument

The appellant's position is that Judge Bourget erred as a matter of law. She should have dismissed the citation for failing to allege any illegal acti-

vity by the appellant. All actions by the appellant in both incidents were legal actions. Gabler ruled properly. Bourget, perhaps under the influence of Rebecca Blank and Ray Cross, made an improper ruling. The second citation should be dismissed as was the first.

IV. Conclusion

This is an important, but simple, case. Basic rights of free speech and privacy are at stake here. Judge Bourget failed to protect these critical rights. Therefore, the appellant respectfully requests the following relief from the Wisconsin Court of Appeals:

- 1) A stay of the fine until the appeal has been concluded (this has been denied thus far, but the appellant remains hopeful it will be granted)
- 2) Reversal of Judge Bourget's April 6, 2015 ruling
- 3) Dismissal of the December 2014 citation
- 4) A refund of the appellant's appeal costs (approximately \$320.00)
- 5) A warning to the campus police and the District Attorney's office in Eau Claire to stop all harassment of the appellant at the McIntyre library

The attached appendix consists of pages 15, 16, and 17 of the trial transcript.

Hopefully and Respectfully
submitted on June 29, 2015

