



STATE OF WISCONSIN, COURT OF APPEALS, DISTRICT 4

Trent Joseph Meyer)

)

(party designation) Appellant)

-vs-)

Dane County)

)

(party designation) Respondent)

**Brief
Cover**

Case No. 2024TR000311

ON APPEAL FROM THE CIRCUIT COURT FOR Dane COUNTY,

THE HONORABLE (Name of Judge) Julie Genovese, PRESIDING

BRIEF OF Appellant *

Name: Trent Meyer

State Bar No. (if applicable):

Address: N2658 Columbia Road, Lodi WI 53555

Telephone No.:

Email Address (if any): meyertrent44@gmail.com

TABLE OF CONTENTS

TABLE OF CONTENTS2

TABLE OF AUTHORITIES.....2

STATEMENT OF ISSUES2

STATEMENT OF CASE3

STATEMENT OF FACTS8

ARGUMENT9

CONCLUSION 10

APPENDIX..... 11

TABLE OF AUTHORITIES

U.S. Const. amend. XIV, § 2.

Wis. Stat. § 346.08(3) 1991 a. 316; 2009 a. 97

STATEMENT OF ISSUES

The traffic violation on trial was for unreasonable and imprudent speed. The prosecution must prove that my speed was inappropriate for the conditions providing evidence supporting the officer’s decision to make the traffic stop. The officer’s testimony should have been supported by the physical evidence of the dashcam footage which the prosecution failed to introduce to form the basis of the citation. Prosecution should have had to prove my speed was inappropriate for the conditions at the time, not the allegation that I was speeding in general which was what the officer kept testifying to. No other evidence like weather reports, additional witness testimonies outside of the officer that made the traffic stop, or additional expert analyses was used to demonstrate that my speed posed a danger and violated the requirement for reasonable and prudent driving. Again, prosecution did not introduce evidence that I was guilty of unreasonable or imprudent speed despite there being dashcam footage of the alleged violation or support with testimony how my driving posed danger to traffic. In fact, the officer who conducted my traffic stop testified that I was not posing a danger and that the ticket was in place of a speeding ticket which again was not the violation on trial. In addition, the court denied me due process by not allowing me to testify despite me stating at the beginning of the

trial that I wished to testify. Had I been allowed to testify as I requested, I would have introduced the video evidence of the officers' dashcam in support of my unguilty plea that I was not in violation of unreasonable or imprudent speed as the footage reflects that I used my traffic signals, safely changed lanes and did not pose a danger to the rest of traffic. Ultimately, it is on the prosecution to prove that I was guilty of unreasonable and imprudent speed, and they did not do that. They only testified that I was speeding based on the officer's testimony that he paced me, which again does not support the violation on trial. Not being able to testify on my behalf and refute the accusations, gave me an unfair trial and made sure I could not introduce any evidence. I was informed during my cross examination of the officer that I needed to ask direct questions and not include any testimony, yet I was not given the opportunity to testify at any point during the trial even after my cross examination of the officer. During the cross examination, the judge stated that she has made her decision in support of the citation. At this point, I stated that I never had my chance to testify and was denied my right to testify on my behalf and was never sworn in. Doing so would have allowed me to introduce the video evidence, refute the officer's testimony, and testified on my accounts of the evening. Ultimately, the court took the officers' testimony that I was speeding without any evidence of unreasonable and imprudent speed violation and made a ruling in favor of the citation without due process. Not only was there no evidence introduced to show unreasonable and imprudent speed, the fact that it would be my word against the officers was never given to me because I was denied the right to testify.

STATEMENT OF CASE

On December 20th, 2023, around 5:41pm, Deputy Steven Mueller pulled me over and wrote me a traffic citation for unreasonable and imprudent speed. On January 31st, 2024, at 8:30am I appeared in traffic court entering my not-guilty verdict to the allegation that I failed to adhere to requirements for reasonable and prudent driving which triggered trial to be set for July 26th, 2024. Trial commenced at approximately 9:11am in which the parties were introduced to the court, and I expressed my intent to testify as a witness. The court then proceeded to call the prosecutions witness, Deputy Steven Mueller, to the stand once he was sworn in as a witness. The deputy proceeded to testify that he observed my red Jeep Cherokee passing him in the left lane at an estimate of 75mph without any physical evidence to support this. Officer Mueller proceeded to testify that he witnessed me change

lanes to the right lane to pass the vehicle in front of me in the left lane in which he proceeded to move to the right lane directly behind me and paced me at 77mph. He noted there was some separation between me and him before he made the traffic stop due to the nature of the traffic in that area¹. The deputy proceeded to testify to the details of the traffic stop and identified me as the driver of the red Jeep Cherokee in which I did not dispute. The deputy continued to testify that he initiated the traffic stop by asking me why I was in a hurry, in which I responded that I recalled passing a vehicle going under the speed limit². The deputy's testimony continued to state at that point he issued the citation for unreasonable and imprudent speed. Once the deputy finished his testimony, the court asked if I had any questions in which I stated that I did. I proceeded to ask him if there was no evidence of the speed limit on which he was travelling how could he confirm he was traveling at 65mph along with the vehicle ahead of him after he observed me and before he made the traffic stop. Deputy Mueller responded that he was monitoring his speed via his speedometer, and he also has a GPS unit on his dash that further confirms the speedometer reading³. I followed up asking the deputy to confirm that there is no actual confirmation of the speed limit he was traveling, or what other traffic was traveling at the time of the alleged violation. He confirmed he did not have any with him but that his squad cam was running, and it does have the ability to capture his squad speed⁴. I proceeded to state that I have seen the dashcam footage and although it does not display the speed as the officer indicates, that I had it with and was about to start discussing what the footage shows. The prosecution voiced objection, and the court responded stating that I needed to stick to questions only and not any testimony. And further clarified that my questions should be limited to around five or six words so I should not have any explanation for my questions. I then asked what the process is to get the video in which I admit was a tangent I went on in frustration of how long it took to me to receive the video after I submitted the records request. In which the court responded that regardless of the circumstances, the video is now in my possession and the question comes down to whether I was speeding or not as that is

¹ I would like to note that the separation of our vehicles was not due to the allegation of excessive speeding as the officer clarifies.

² I would like to note I did not state I was in a hurry as the officer assumed.

³ I would like to note that despite the officer's testimony that I was speeding, which again is not the violation on trial, they did not bring the physical evidence which is the GPS reading supporting his testimony despite the burden of proof on their end to show unreasonable and imprudent speed.

⁴ I would like to point out that prosecution again failed to introduce this evidence to support the officer's allegations that I was driving at an unreasonable and imprudent speed.

really the issue ⁵. The court then continued to state that my questions should be focused on whether I was speeding. I then proceeded to continue questioning Deputy Mueller asking him if I appeared out of control in which the prosecution objected due to relevance. The court affirmed the prosecution's objection. I followed up sharing that imprudent speed would indicate that I am out of control or rather I am not observing caution. The court acknowledged that was a good point and asked the prosecution to confirm the difference between imprudent speed versus going over the speed limit. Deputy Mueller testified that the difference in his interpretation is that imprudent speed is more of a generic speed violation and does not require hazardousness to other traffic to meet the requirements of the citation. In which the court requested clarification on why Deputy Mueller did not just give me a speeding ticket instead of unreasonable and imprudent speed. He responded that there were multiple speeds involved in his observation, and it was his belief that issuing the current citation was more prudent since he construes it as a more generic or fully encompassing citation. I asked Deputy Mueller once again if he had any evidence and he responded that he had plenty of evidence that he had already provided, and the court clarified that his testimony was the evidence. I then clarified that I am looking for physical evidence ⁶. I continued questioning why Deputy Mueller did not pull over the vehicle that was holding up traffic in the left lane and instead pulled me over. The court interjected asking me if I would deny being over the speed limit ⁷. I then proceeded to clarify to the court stating the definition of the citation is that I would not have caution and that everything that the officer was testifying showed that I had caution for others and proceeded to clarify the acts of caution I practiced which included slowing down when coming up on other vehicles and passing them or stopping as needed. The court interjected and continued to point out that the speed the officer allegedly paced me at and said that I could have gotten a ticket for speeding which would have been worse since it is more points and a greater fine ⁸. The court then proceeded to say the officer's testimony is better than if the officer presented evidence from a laser gun because there are all sorts of issues with laser

⁵ I would like to note that again this trial was not an issue of speeding. It is an issue of unreasonable and imprudent speed.

⁶ I would like to note that the prosecution still did not present the dashcam footage or any other evidence besides Officer Mueller's testimony.

⁷ Again, speed is not the violation at trial.

⁸ Which again the speed I was going is not the violation at trial so the court was insinuating in my perspective is I should be glad I got a citation for a violation I did not commit instead of a speeding ticket when the prosecution was not presenting any physical evidence of me speeding or driving at an unreasonable or imprudent speed presenting any danger to traffic.

guns⁹. I proceeded to recap the definition of the citation with the court and the court asked if I thought it would be better and fair if I got the higher ticket for speeding instead¹⁰. The court proceeded to ask for that statute on imprudent speed which I shared I had a handwritten version of it for myself. Prosecution interjected by stating they had the statute and verbally presented the language. Prosecution then continued to state after reading the statute that their argument is that the speed the officer allegedly paced me at was a greater speed than was reasonable considering the roadway I was on. The court then proceeded to ask the deputy why he thought I was going at an imprudent speed. The deputy then testified that I got close to the vehicle ahead of him and then when I made my lane change, I ended up close to the vehicle behind me and then accelerated in which created more distance between me and the vehicle behind me. The officer continued to testify that I was in the right lane passing vehicles in the left lane. The court asked if I disputed in which I responded that I did not then the court interjected asking if I am aware that I am not supposed to pass in the right lane. I responded referring to the statute that refers to vehicles that are moving slower than the flow of traffic should be in the right lane and should not be impeding traffic in the left lane as it is the passing lane and the person I passed while I was in the right lane was impeding the left lane so I observed caution and passed them while I was in the right lane which I can do if someone is not going with the speed of traffic and clarified it is not illegal to pass in the right lane. The court responded paraphrasing my argument is even if I may have been speeding, that I was driving reasonable and was not going imprudently as I kept up with traffic and that when I passed the car in the left lane while I was in the right lane I was reasonable since they should have been in the right lane as they were impeding traffic and asked if that was correct. I clarified everything besides the speeding was correct about her summary of my argument. The court proceeded to ask if I had any more questions in which I responded by asking Deputy Mueller what his definition of imprudent was. The prosecution objected and the court interjected before the prosecution could state the basis for objection and said it is not up to the officer's definition of imprudent but rather the court's interpretation of it is but acknowledged that the officer gave me the ticket for imprudent speed and directed the deputy to

⁹ The citation is for not practicing caution when driving and presenting a risk to others in traffic in which the prosecution still has failed to prove and the court wants to focus on the officer's testimony that he paced me speeding.

¹⁰ Which again shows the court was focused on an issue that is not directly related to the citation I am on trial for and believes I was speeding when the prosecution has yet to present evidence of this despite claiming having a GPS unit that would show the officers speed while pacing me in dashcam footage.

answer the questions. Deputy Mueller responded that his definition is unnecessary or beyond the norm. In which I responded that the actual definition is not showing care for action and that I was showing caution and care by using turn signals and there was separation between vehicles. In which the prosecution objected, stating I was not asking a question and the court agreed, and I had to redirect back into questioning the witness. I then proceeded to ask the deputy what a normal traffic stop distance would be in a 55 mph or even 70 mph zone. The prosecution objected due to relevance. The court asked for clarification on what I meant as a normal traffic stop in which I responded clarifying that if I was truly imprudent by definition and careless while presenting danger to traffic then what would the reasonable distance be before you pull someone over that is perceived as a danger to traffic. The court responded they still did not understand my question and I responded clarifying that there was two miles between when I was allegedly observed committing the violation and when I got pulled over and asked again if I was truly imprudent or without caution then why was I not pulled over immediately. The prosecution objected due to the argumentative nature of the question and the court interjected instructing the witness to respond. The deputy then referred to the citation location and stated it is an area where the violation occurred and while it is a two-mile distance I am inquiring about between the location of the alleged violation and the actual location of the stop. There were a lot of factors that affected his decision when initiating the stop after observing an alleged violation and listed the factors that impact his decision. He then stated that if he thought I was an extreme danger to the motoring public that he would have made the stop sooner. The court then clarified that no one was saying I was driving recklessly and that the speed was unreasonable or imprudent because I was allegedly going above the speed limit and that again the officer could have given me a worse ticket and that the court did not see keeping up with traffic and not driving recklessly was a defense against an unreasonable or imprudent speed citation. The court then proceeded to say I was found guilty. I responded asking if I could say anything else and the court instructed me to go ahead. I then proceeded to raise my issue that I did not get to testify, and the court interjected that I made my points unless she was missing something. I clarified that I was confused as I never got the chance to say anything on my behalf since each time I attempted to elaborate prior to the ruling, I was informed I needed to keep focus on questions to ask the deputy. The court proceeded to summarize that I said I didn't know if I was speeding or not and that I passed the person on the left since they were not keeping up with traffic. I clarified that speeding is the only thing the officer has testified to and not that I was unreasonable or imprudent based on

the definition. I further stated that the citation I got does not match the officer's testimony. The court then asked if I was making a "why me" argument in which I state I was not, but rather I was seeking clarification on why if speeding was the issue, then why did the officer choose to pull me over for unreasonable and imprudent speed instead of pulling over traffic for speeding. The court then responded that there was more than speed involved in the citation such as the way I changed lanes and passed other vehicles which was an issue since I passed while I was in the right lane. In which I clarified again that it is legal to pass in the right lane when traffic is impeded in the left lane. The court then proceeded to assume that I felt it was unfair to get pulled over when others were committing traffic violations as well. I responded that was not the point I was trying to make and instead that what I was attesting to and again the whole point of the trial was to take unreasonable and imprudent speed as the only factor which has yet to be proven still. The court then responded that they take unreasonable speed as going over the speed limit and then I responded if that is the court's interpretation then why was I pulled over when others were also going over the speed limit and the officer observed this before he observed me allegedly speeding ¹¹. The court responded that the officer cannot pull everybody over and chose to pull me over and not anyone else. I clarified once again that this ticket should not go to me by definition and the court disagreed and once again affirmed a guilty verdict without my testimony. At this point, trial concluded in discussing the total points and fines related to the guilty verdict of unreasonable and imprudent speed.

STATEMENT OF FACTS

1. The court failed to let me testify despite requests to do so. By doing so they denied my due process in a court of law. (Exhibit 1; page 2; lines 22-25) (Exhibit 1; page 30-31; lines 14-25, 1-3)
2. Each time I attempted to introduce evidence or elaborate on my argument I was told I needed to stick to the line of questioning. (Exhibit 1; pages 13-14; lines 13-25, 1-2) (Exhibit 1; page 26, lines 22-25)

¹¹ In addition to the officer testifying that he observed others going over the speed limit, he also testified that he himself was going over the speed limit so by the court's definition, other motor vehicle operators including the officer himself were exercising unreasonable and imprudent speed.

3. The prosecution failed to produce any evidence of the violation despite stating there is physical evidence. (Exhibit 1; pages 12-13, lines 13-25, 1-2)
4. The court made a ruling on the officer's testimony that I was speeding and that I passed vehicles while I was in the right lane, which was not the issue at hand. (Exhibit 1; page 14, lines 19-21, 23-25) (Exhibit 1; page 15, lines 15-21) (Exhibit 1; page 24; lines 24-25)
5. The officer testified that imprudent speed does not require hazardous behavior to other traffic and is rather a generic speed violation. (Exhibit 1; page 16; lines 2-5)
6. The definition of imprudent according to Oxford Dictionaries is "not showing care for the consequences of an action; rash."
(<https://www.bing.com/search?q=define+Imprudent&FORM=DCTSRC>)
7. The court stated that I could have gotten a worse ticket instead of focusing on the violation on trial. (Exhibit 1; page 20; lines 2-8)
8. It is not illegal to pass vehicles while in the right lane if the operator of the vehicle can stay on the roadway and upon a divided highway with unobstructed pavement of sufficient width... ([Wisconsin Legislature: 346.08](#))

ARGUMENT

1. The burden of proof was not sufficient.
 - a. The officer's testimony was the only evidence brought forth by the prosecution. The testimony did not support the guilty verdict of unreasonable and imprudent speed.
 - b. No physical evidence was presented even though it was stated that there was such evidence in the officer's testimony.
2. I was denied due process.
 - a. With accordance to the 14th amendment.
 - b. I was asked by the judge at the beginning of the trial if I would be testifying in the case and replied yes.
 - c. Then again stating at the end of the trial I never received a chance to be sworn in and plead my case, and even after that statement I was again denied.

- d. Not only was no evidence introduced, the fact that it would be my word against the officers was never given to me because I was denied the right to testify.

CONCLUSION

Due to the issues outlined above, I would request that the verdict regarding the traffic violation be overturned, and I would be acquitted of these charges. I would also request that all payments to the court/county/state be refunded in regard to this case.

Dated this 24th day of March, 2025

A handwritten signature in black ink, appearing to read "Trent J. Meyer", with a large, sweeping flourish underneath.

Trent J. Meyer
N2658 Columbia Road
Lodi, WI 53555
Meyertrent44@gmail.com

APPENDIX

- AP-5300: Unsigned Notice of Appeal
- CA-120: Notice of Appeal
- TR-300: Copy of Circuit Court Docket
- AP-1020: Notice of Appeal – No Filing Fee Paid
- AP-30: Electronic Filing Notice
- AP-1010: Notice of Appeal and Circuit Court Docket Entries
- CA-170: Motion to Extend Time (BAP)
- CA-135: Notice of Reporter Regarding Filing of Transcript
- CA-130: Statement of Transcript
- 2024-09-26 Court Order
- Document 20: Letter to Court of Appeals re: transmittal fee
- 2024-10-16 Court Order
- Letter to Meyer re: Refunded Transmittal Fee
- Letter to Court of Appeals re: transmittal fee
- AP-1090: Notification of Filing of Circuit Court Record
- CCAP-250: Index
- 2024-12-10 Court Order
- Notice of Appearance (Lee)
- CCAP-251: Supplemental Index
- AP-1110: Supplemental Circuit Court Case Record
- CA-170: Motion to Extend Time (BAP 2)
- 2025-01-16 Court Order