

**COURT OF APPEALS
DECISION
DATED AND FILED**

September 19, 2007

David R. Schanker
Clerk of Court of Appeals

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

**Appeal Nos. 2007AP590
2007AP591**

**Cir. Ct. Nos. 2005TR6346
2005TR6347**

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT II**

FOND DU LAC, COUNTY OF,

PLAINTIFF-RESPONDENT,

V.

JESSICA ERICA THOMPSON,

DEFENDANT-APPELLANT.

APPEAL from an order of the circuit court for Fond du Lac County:
STEVEN W. WEINKE, Judge. *Reversed and cause remanded.*

¶1 ANDERSON, P.J.¹ Jessica Erica Thompson appeals from an order denying her motion for an indigence hearing at which she sought to prove that she

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(c) (2005-06). All references to the Wisconsin Statutes are to the 2005-06 version unless otherwise noted.

was unable to pay the civil forfeitures assessed in two traffic regulation cases and requesting reinstatement of her driver's license. In lieu of a responsive brief, Fond du Lac County confesses error in a motion for summary disposition. We reject Thompson's motion opposing summary disposition; therefore, we reverse.

¶2 After Thompson failed to pay traffic forfeitures totaling \$386.80, the circuit court suspended her operating privileges for not less than thirty days and no more than two years. Within thirty days of the order suspending her license, Thompson wrote a letter requesting an extension of time to pay the forfeitures; her request was denied. Thompson then filed a motion and supporting affidavit for an indigence hearing, which was denied. She then sought reconsideration and that was also denied. Thompson appeals.

¶3 In response to our order that the County's failure to file a brief would be considered an abandonment of the appeal and because in the exercise of our discretion we were free to summarily reverse, the County responded with a motion seeking summary disposition under WIS. STAT. RULE 809.21. In the motion the County wrote, "After review, the County feels that the Appellant's 26-page brief and 39-page appendix sufficiently present the facts of the case and relevant legal argument and provide a suitable basis for the court to reach its decision. The County therefore moves the court for Summary Disposition." This court greatly appreciates the County's confession of error.

¶4 Thompson opposes the County's motion. She asks this court to reverse the circuit court in a published decision because the issues raised are of profound public concern. We reject her request.

¶5 Our system of jurisprudence depends heavily on adversarial argument to assist the courts in reaching the most legally accurate and just results. Without the benefit of a responsive brief from the County, before we could reverse the order, we would first have to develop the County's argument for it. It is not this court's function to supply legal research and develop argument. *State v. Pettit*, 171 Wis. 2d 627, 647, 492 N.W.2d 633 (Ct. App. 1992). It would be a waste of limited judicial resources for us to decide this appeal; a high-volume intermediate appellate court is an error-correcting court, which cannot take time to develop legal argument on behalf of a party. *Id.*

¶6 We reverse the order denying Thompson an evidentiary indigence hearing and remand for further proceedings consistent with this opinion.

By the Court.—Order reversed and cause remanded.

This opinion will not be published. *See* WIS. STAT. RULE 809.23(1)(b)4.

