

**COURT OF APPEALS
DECISION
DATED AND RELEASED**

November 15, 1995

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

NOTICE

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No. 94-2013

STATE OF WISCONSIN

IN COURT OF APPEALS
DISTRICT II

In re the Marriage of:

KATHERINE J. GREGOR,

Petitioner-Respondent,

v.

DONALD H. GREGOR,

Respondent-Appellant.

APPEAL from orders of the circuit court for Racine County:
ALLEN B. TORHORST, Judge. *Affirmed.*

Before Brown, Nettesheim and Snyder, JJ.

PER CURIAM. Donald H. Gregor appeals from three orders arising out of his failure to pay child support and maintenance. On appeal, Donald raises a multitude of issues, none of which we find persuasive. Accordingly, we affirm the orders of the circuit court.

The underlying facts were set forth in this court's opinion on an earlier appeal, *Gregor v. Gregor*, No. 92-1141, unpublished slip op. (Wis. Ct. App. Mar. 31, 1993). Since that appeal, numerous hearings on various arrearages have occurred, culminating in orders finding Donald in contempt for failure to pay child support.

Many of Donald's seven issues attempt to challenge matters beyond this court's jurisdiction because they arise from final orders or judgments never appealed from. Failure to appeal within the times set by either § 808.04, STATS., or § 805.17(3), STATS., deprives this court of jurisdiction. *Wainwright v. Wainwright*, 176 Wis.2d 246, 250, 500 N.W.2d 343, 345 (Ct. App. 1993). By this court's order of December 7, 1994, we indicated that we have jurisdiction to review the May 9, 1994, contempt order; the June 30, 1994, order denying Donald's motion to decrease child support; and the September 13, 1994, order denying his motion for a new trial. We do not address, therefore, his issues concerning reopening of the divorce judgment, res judicata and his constitutional property rights.¹

Donald next claims that he was deprived of his constitutional rights to due process and hearing before an impartial judge on maintenance arrearage issues. This question was fully aired at an April 1, 1992, hearing, at

¹ Donald's property right issue does allude to the May 9, 1994, and June 30, 1994, orders, tying them to a motion hearing of April 28, 1994, which, Donald claims, violated his due process rights. However, Donald has provided this court with but one and one-half pages of the transcript of this hearing. Our scope of review is necessarily confined to the record before this court when an appeal is brought on a partial transcript. *Gorton v. American Cyanamid Co.*, 194 Wis.2d 203, 212 n.2, 533 N.W.2d 746, 750 (1995). Without a full transcript, we will not surmise that the court somehow failed to accord Donald his rights.

which the circuit court deemed Donald's motion as one arising under § 806.07, STATS., and denied it. Donald evidently did not appeal at that time. Contrary to his assertions, his motions which underlie the orders now properly before this court did not clearly raise the maintenance arrearage issue.² Moreover, Donald made no particular mention of this arrearage at the September 9, 1994, motion hearing. A motion must be sufficiently specific to support a particular objection sought to be raised on appeal. See *E. M. Boerke, Inc. v. Williams*, 28 Wis.2d 627, 631, 137 N.W.2d 489, 491 (1965). We therefore deem Donald to have abandoned this issue in the circuit court.

We are at a loss to address Donald's fifth issue: "Petitioner-Respondent's contemptuous failure to pay property taxes is what ignited the current '92-95 government actions - under the color of law - to impair, interfere and deny respondent-appellant his bill of rights freedoms of life, liberty, property and the pursuit of happiness." Much of his argument addresses matters litigated well before the three orders now properly before us; much of it chronicles, without citation to authority or legal argument, events between 1987 and 1992, rife with vague conspiracies and cabals against him, all without support; but none of it specifies just what of the three orders constitutes error concerning property taxes. This argument neither explains nor develops Donald's position; we decline to develop his argument for him. See *State v. Gulrud*, 140 Wis.2d 721, 730, 412 N.W.2d 139, 142 (Ct. App. 1987).

² In the seventy-odd pages of motion papers, we find only one fleeting reference to the \$2700 arrearage and that in the context of asking for an audit of the child support agency "[t]o determine where the lost \$2,704.00 maintenance money paid by the respondent to the Clerk of Court went."

Donald's sixth issue argues error in changing child support from a fixed sum to a percentage and in imputing income to him. However, Donald ascribes these actions first to an order of February 19, 1992, which was the order he appealed from in May 1992. A litigant is concluded by the mandate of an appellate court as to all matters actually presented or which might consistently with legal rules have been presented to that court upon appeal. See *Cathey v. Industrial Comm'n*, 25 Wis.2d 184, 188, 130 N.W.2d 777, 779 (1964). Donald is foreclosed as to these contentions because the judgment on the previous appeal is res judicata. See *id.* at 185-86, 130 N.W.2d at 778.³

Finally, Donald contends that his wages are being garnished twice rather than once. This matter was addressed at the motion hearing of September 9, 1994, and while the circuit court did indicate that there should only be one wage assignment of \$375, the record reveals some confusion over whether Donald's wages actually were being garnished twice:

THE COURT: Are you losing more than 375 a month on your Kinko income?

MR. GREGOR: Not now, because the problem is that--

THE COURT: Now, wait a minute. If you're not losing it now-- If you are, we'll straighten it out.

MR. GREGOR: My employer did not get both of them. I got a copy of one and my employer got a copy of another. Okay. So on June--on April 28-- Well, you filed the order June 30th, I believe. One week later, you

³ In the context of this issue, Donald baldly calls into question the integrity of the circuit court. We will not consider such baseless and disrespectful allegations.

signed a wage garnishment for 375 and then one week later, VanKampen signed a garnishment for 375.

THE COURT: Should be only one in effect. Your employer has got two and taking out more than that? Mr. Huempfner will straighten it out. If not, it's 375 until someone changes it.

Donald has made no adequate showing, either here or below, that his wages are actually being garnished twice. We cannot, therefore, fault the circuit court for taking no action beyond what was done. Donald is free to present proof to the circuit court of his wages being doubly garnished.⁴

By the Court. – Orders affirmed.

This opinion will not be published. See RULE 809.23(1)(b)5, STATS.

⁴ In the conclusion of his brief-in-chief, Donald asks for a wide range of relief, much of which involves issues not properly addressed on appeal. Generally, this court does not consider arguments broadly stated but never specifically argued. *Fritz v. McGrath*, 146 Wis.2d 681, 686, 431 N.W.2d 751, 753 (Ct. App. 1988). We see no reason to depart from this rule here.