COURT OF APPEALS
DECISION
DATED AND FILED

January 13, 1998

Marilyn L. Graves
Clerk, Court of Appeals
of Wisconsin

No. 96-0313

STATE OF WISCONSIN **IN COURT OF APPEALS**
DISTRICT I

IN RE THE MARRIAGE OF:

STELLA M. PATTERSON,

PETITIONER-RESPONDENT,

v.

LONNIE P. PATTERSON,

RESPONDENT-APPELLANT.

APPEAL from a judgment of the circuit court for Milwaukee County: PATRICIA S. CURLEY, Judge. *Affirmed.*

Before Wedemeyer, P.J., Fine and Schudson, JJ.

PER CURIAM. Lonnie Patterson appeals from the trial court's "Judgment as to Property Division," following a court trial in a post-divorce proceeding. Patterson attempts to raise three issues. He fails, however, to

adequately clarify or support his arguments on the first two issues, and the record reflects that he waived the third. Accordingly, we affirm.

The underlying action leading to this appeal resulted in a divorce judgment granted to Lonnie and Stella Patterson in 1991. Subsequently, however, the trial court originally assigned to the divorce case concluded that its proceedings had not provided the trial that was needed on issues of property division. The case then passed through several trial courts until 1994 when the successor trial court – the one that ultimately made the rulings challenged in this appeal – grabbed the bull by the horns and tried the case.

Trying the property division issues was not easy. The trial court commented:

> I consider this case to be a legal nightmare. This case has been complicated not only by the sheer length of time that's gone by which is considerable. It was problematic even when it was a couple years old because the parties had such divergent views on both historical events as well as current responsibilities.
>
> It was complicated by the fact that both parties were at one point during the period of this case disabled.
>
> Certainly the fact that the case was reopened after Judge Burns agreed that his findings did not constitute a trial back in 1993, when he had heard it in 1991, and it wasn't calend[a]red then until 1994 has certainly done nothing to assist in simplifying this case. And finally if that weren't sufficient, the fact of Ms. Patterson's bankruptcy and the impact it has on the marital decision has led me to my conclusion that it's as complicated a legal matter as I've had in a long time.

Lamenting, therefore, that its task was somewhat akin to "unscrambling an egg because a lot has taken place since this case was in front of Judge Burns back in May of 1991," the trial court attempted to perform a painstaking evaluation of the evidence the parties offered.

Although the trial court initially indicated that the trial would relate only to "that portion of the judgment which covers the division of property," and that the trial court would not address "all other matters with regard to custody, visitation, et cetera," the trial court, in its Judgment as to Property Division entered following the court trial, modified the previous child support order.

Mr. Patterson argues that the trial court erred: (1) "by making a judgment which is unenforceable because [Ms. Patterson] was ordered to hold [him] harmless for debts which [she] had discharged in bankruptcy;" (2) by failing to consider Ms. Patterson's alleged "financial misconduct" in determining the property division; and (3) "by setting child support at $125.00 per month when at the beginning of the proceedings the court stated that the only issue before the court was the property division."

Mr. Patterson's appellate counsel's argument on the first two issues is brief and confusing. His first argument, less than one page in length not counting quotations from the federal bankruptcy code and the trial court decision, fails to explain how the trial court may have erred in considering or not considering Ms. Patterson's bankruptcy. His second argument, not much longer, refers to "financial misconduct" but fails to even clarify whether that alleged misconduct relates to either or both of the matters mentioned in the statement of facts — the bankruptcy, or the transactions regarding the Patterson's automobile loan.

Arguments in appellate briefs must be supported by legal authorities and record references and must be sufficiently clear to allow for proper appellate review. *See* RULE 809.19(1)(e), STATS. We need not consider arguments that do not comply. ***Murphy v. Droessler***, 188 Wis.2d 420, 432, 525 N.W.2d 117, 122 (Ct. App. 1994). We will not develop Mr. Patterson's arguments for him. *See*

Barakat v. DHSS, 191 Wis.2d 769, 786, 530 N.W.2d 392, 398 (Ct. App. 1995) (appellate court need not consider "amorphous and insufficiently developed" arguments). We also note that Ms. Patterson, *pro se*, has provided specific and substantial support for her arguments in support of the trial court's decision, and that Mr. Patterson has not replied. *See* ***Charolais Breeding Ranches, Ltd. v. FPC Sec. Corp.***, 90 Wis.2d 97, 109, 279 N.W.2d 493, 499 (Ct. App. 1979) (arguments not refuted are deemed admitted).

Mr. Patterson also argues that the trial court erred in modifying child support following a trial in which the court declared that it would not address that issue. What Mr. Patterson fails to explain, however, is why he is attempting to pursue that issue on appeal given that the trial court substantially *lowered* the amount he would be required to pay: from $550 per month (according to Ms. Patterson's brief) to $125 per month. Not surprisingly, when the trial court announced the modification at the conclusion of the trial, Mr. Patterson did not object. When trial counsel moved for reconsideration, his brief in support of the motion did not even refer to the child support modification. Apparently, Mr. Patterson never challenged the modification until raising the issue in his perplexing appellate brief. Thus, we conclude that Mr. Patterson has waived the child support issue. *See* ***Wirth v. Ehly***, 93 Wis.2d 433, 443-44, 287 N.W.2d 140, 145-46 (1980) (generally appellate court will not review issue raised for first time on appeal).

By the Court.—Judgment affirmed

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