

Christopher C. Henige,

Petitioner,

v.

Case No. 18CV167

The Board of Regents
Of the University of
Wisconsin System,

Respondent.

FILED**JUL 03 2018**CIRCUIT COURT
WALWORTH COUNTY
LORI SCHEMANN

Decision and Order

The matter is before the court on the respondent's motion to dismiss. The petitioner filed a Petition for Judicial Review of Administrative Decision after the respondent dismissed the petitioner from his position as a tenured associate professor. The motion claims the respondent did not strictly comply with the statutory requirements for commencing this action and therefore, the court is deprived of competency to proceed.

It is clear that the petitioner attempted to effectuated service by priority mail with a signature confirmation. It is also clear that Wis. Stat. §227.53(1)(a)1., requires that the petition be served either personally or by certified mail. Further, Wisconsin "compels strict compliance with the rules of statutory service, even though the consequences may appear harsh." **Useni v. Boudron**, 2003 WI App 98, ¶ 13, 264 Wis 2d 783, 662 N.W.2d 672. This can be the case despite actual notice having been provided. **Id.** "Uniformity, consistency and compliance with procedural rules are important aspects of the

administration of justice; if the statutory prescriptions are to be meaningful, they must be unbending.” **Id.**

Therefore, it is hereby ordered that the respondent’s motion to dismiss is granted.

Dated this 3 day of July, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'D. M. Reddy', written over a horizontal line.

Hon. David M. Reddy
Circuit Court Judge

This is a final order for purposes of appeal.