

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

HORACIO SANCHEZ  
d/b/a El Rodeo,

Petitioners,

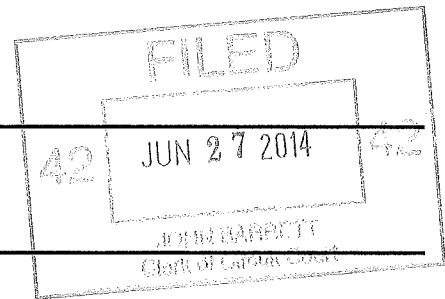
v.

Case No. 14 CV 3515

CITY OF MILWAUKEE and  
JAMES R. OWCZARSKI

Respondents.

**DECISION AND ORDER**



Pursuant to Wis. Stat. § 125.12(2)(d), Horacio Sanchez (“Sanchez”) petitioned this Court for judicial review of the City of Milwaukee’s (“City”) decision to revoke his Class B Tavern and Public Entertainment Premises licenses for El Rodeo bar. The parties submitted briefs in which they presented arguments related to the issues under review. Neither party requested a hearing pursuant to Wis. Stat. § 125.12(2)(d), so none was held. This Court has reviewed the record and parties’ arguments and for the reasons stated herein, remands the case to the Licenses Committee to make specific legal conclusions consistent with this opinion.

**STATEMENT OF FACTS**

Petitioner Sanchez operates the El Rodeo bar, located at 1586 South Pearl Street, Milwaukee, Wisconsin. Sanchez held both a Class B Tavern license and a Public Entertainment Premises license for the bar, which were set to expire on October 5, 2014. On March 18, 2014, Captain Alfonso Morales of the Milwaukee Police Department (“MPD”), on behalf of Chief of Police Edward Flynn, signed sworn charges requesting the revocation of El Rodeo’s licenses

pursuant to Wis. Stat. § 125.12(2)(ag)2 and Milwaukee Code of Ordinances (MCO) §§ 85-4-4, 90-12, and 108-11. The charges asserted six factual bases for revocation: 1) a shooting outside the bar, directed at some of the bar's patrons; 2) the tavern being open after hours on one occasion; 3) Aldermanic complaints regarding erotic dancers and cocaine sales on the premises; 4) Alderman Jose Perez's assertion that he spoke with Sanchez's wife who admitted to hosting erotic dancers at the bar and promised never to do it again; 5) police discovery of erotic dancers on the premises; and 6) police discovery of cocaine on Sanchez's person<sup>1</sup> and in the premises.

On March 31, 2014, the Office of the City Clerk sent Sanchez a notice advising that he was requested to attend a hearing before the City's Licenses Committee on April 8, 2014 to show cause why his Class "B" Tavern and Public Entertainment Premises licenses should not be revoked. Attached to the notice was Captain Morales' sworn complaint, a copy of the MPD License Investigation Unit synopsis police report, specific PA-33E Licensed Premise Reports regarding each of the incidents summarized in the synopsis, and a copy of the "known drug house" letter the MPD sent to Sanchez on February 12, 2014.

On April 8, 2014, the Licenses Committee held a hearing and voted to revoke the licenses. The Committee concluded that Sanchez had not "met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow the continued operation" of El Rodeo. On April 22, 2014, the City of Milwaukee Common Council convened and voted to follow the recommendation of the Licenses Committee and revoke of El Rodeo's Class B Tavern and Public Entertainment Premises licenses.

### **STANDARD OF REVIEW**

Wis. Stat. § 125.12(2)(d) authorizes judicial review of an action by a municipal governing body to revoke or suspend a liquor license. Wis. Stat. §§ 68.02(2) and 68.13 authorize judicial

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<sup>1</sup> Criminal cocaine possession charges are currently pending against Sanchez. See 14CM000462

review of the City's decision to revoke Sanchez's municipal Public Entertainment license. The proper procedure for judicial review is application of the standards of certiorari. *Nowell v. City of Wausau*, 2013 WI 88, ¶ 48, 351 Wis. 2d 1, 838 N.W.2d 852. A reviewing court on certiorari is limited to determining:

- (1) whether the municipality kept within its jurisdiction,
- (2) whether it acted according to law,
- (3) whether its action was arbitrary, oppressive or unreasonable and represented its will and not its judgment, and
- (4) whether the evidence was such that it might reasonably make the order or determination in question.

*Id.*, at ¶ 24. The first two certiorari prongs are questions of law which courts review independently from the determinations rendered by the municipality. *Ottoman v. Town of Primrose*, 2011 WI 18, ¶ 54, 332 Wis. 2d 3, 796 N.W.2d 411.

When the Court interprets a statute, it begins by examining the language of the statute. *Nowell*, 2013 WI 88 at ¶ 20 (citation omitted). Statutory language is interpreted "in the context in which it is used; not in isolation but as part of a whole; in relation to the language of surrounding or closely-related statutes." *Id.* (citation omitted). A court should not defer to a municipality's interpretation of a statewide standard. *Id.*, at ¶ 59. However, if "the language of the municipality's ordinance appears to be unique and does not parrot a state statute but rather...was drafted by the municipality in an effort to address a local concern," the court will defer to the municipality's interpretation if it is reasonable. *Id.*, at ¶ 60.

The decision to revoke an alcohol beverage license is discretionary, and is vested with the licensing authority. *Ruffalo v. Common Council of the City of Kenosha*, 38 Wis. 2d 518, 524, 157 N.W.2d 568, 571 (1977). When revoking an ordinance, the person or body conducting the proceedings acts in a quasi-judicial capacity. *Mehlos v. City of Milwaukee*, 156 Wis. 591, 146 N.W. 882, 887 (1914). An administrative agency engages in arbitrary and capricious action

“when it can be said that such action is unreasonable or does not have a rational basis.” *State ex rel. Smits v. City of DePere*, 104 Wis. 2d 26, 37, 310 N.W.2d 607, 612 (1981). In addition, arbitrary action is described as “the result of an unconsidered, willful and irrational choice of conduct, and not the result of ‘winnowing and sifting’ process.” *Id.* at 37-38. Thus, municipal action will be upheld if it has a rational basis and is supported by substantial evidence in the record. “Substantial evidence” does not mean a preponderance of the evidence, but whether, taking into account all the evidence in the record, reasonable minds could arrive at the same conclusion. *Madison Gas and Electric Co. v. Public Service Commission of Wisconsin*, 109 Wis. 2d 127, 133, 325 N.W.2d 339, 342-43 (1982); *see also Dep’t of Revenue v. Lake Wisconsin County Club*, 123 Wis. 2d 239, 242-43, 365 N.W.2d 916, 918 (Ct. App. 1985) (agency’s decision must be sustained even if an alternative, but equally reasonable view of the evidence exists). A reviewing court may not question the weight placed by the agency upon the evidence, but may only pass on the reasonableness of the agency’s findings. *Copeland v. Dep’t of Taxation*, 16 Wis. 2d 543, 555, 114 N.W.2d 585, 864 (1962).

The municipality’s decision is accorded a presumption of correctness and validity. *Ottoman*, 2011 WI 18 at ¶ 48, *Nowell*, 2013 WI 88 at ¶ 48. The petitioner has the burden of overcoming the presumption of correctness. *Ottoman*, 2011 WI 18 at ¶ 50. The Court may affirm or reverse the City’s decision, or remand for further proceedings consistent with the Court’s decision. Wis. Stat. § 68.13(1).

### ANALYSIS

Sanchez’s arguments encompass all four prongs of certiorari review. Sanchez asserts two main arguments in support of his petition: (1) the City did not keep within its jurisdiction or act according to law because it did not follow Wis. Stat. § 125.12(2)(ag) in asserting that the

complainant was a resident of the City of Milwaukee; and (2) the City lacked substantial evidence to support its revocation decision. Each argument will be addressed in turn.

**1. City's Jurisdiction, Action According to Law**

Sanchez asserts that the City did not keep within its jurisdiction or act according to law because the sworn charges which initiated revocation proceedings failed to allege that Chief of Police Edward Flynn was a resident of the City of Milwaukee. Sanchez contends liquor license revocation proceedings can only be initiated by citizen complaint, pursuant to Wis. Stat. § 125.12(2)(ag), and since the sworn charges did not allege that the Chief of Police was a resident of the City of Milwaukee, the sworn charges were deficient and the City was therefore without authority to hold proceedings to revoke Sanchez's licenses.

The City responds that citizen complaint is not the only way to initiate revocation proceedings. It argues that the Chief of Police may file sworn charges without allegation of residency pursuant to Milwaukee Code of Ordinances ("MCO") § 90-12-4, which was validly adopted as additional regulations for the sale of alcohol beverages pursuant to Wis. Stat. § 125.10(1). Sanchez answers that MCO § 90-12-4 goes beyond a regulation of the sale of alcohol beverages, and is an illegal expansion of municipal authority. Because Sanchez has only challenged the validity under MCO § 90-12-4, the Court will not address the same manner of initiation with respect to a Public Entertainment Premises License under MCO § 108-11-1a.

Resolution of this issue requires the Court to interpret the language of Wis. Stat. ch. 125 governing alcohol beverages. Statutory interpretation is a question of law, which the Court decides independently. *See Ottoman*, 2011 WI 18 at ¶ 54. Wis. Stat. ch. 125 governs licensing for the production, sale and distribution of alcoholic beverages in this State. Wis. Stat. § 125.12(2)(ag) states that revocation proceedings may be initiated by citizen complaint. It is true

that Chief of Police Flynn's sworn charges did allege that he was a resident of the City of Milwaukee and so did not comply with Wis. Stat. § 125.12(2)(ag). However, citizen complaint is not the only means in the City of Milwaukee to initiate liquor license revocation proceedings.

MCO § 90-12-4 provides:

Suspension or revocation proceedings may be instituted by the licensing committee of the common council upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any city resident.

The City enacted MCO ch. 90, which governs liquor and tavern regulations, pursuant to Wis. Stat. § 125.10(1). That statute provides:

Any municipality may enact regulations incorporating any part of this chapter and may prescribe additional regulations for the sale of alcohol beverages, not in conflict with this chapter. The municipality may prescribe forfeitures or license suspension or revocation for violations of any such regulations. Regulations providing forfeitures or license suspension or revocation must be adopted by ordinance.

Wis. Stat. § 125.10(1). So the question is whether an ordinance regarding the manner of initiating revocation procedures is one regarding "the sale of alcohol beverages." The term "sale" is defined as:

any transfer of alcohol beverages with consideration or any transfer without consideration if knowingly made for purposes of evading the law relating to the sale of alcohol beverages or any shift, device, scheme or transaction for obtaining alcohol beverages, including the solicitation of orders for, or the sale for future delivery of, alcohol beverages.

Wis. Stat. § 125.02(20). Although it does not fall under the definition of "sale" per se, license revocation certainly has an effect on sales. In addition, when discussing the proper standard of review of a municipality's refusal to renew a Class B Tavern license, the Wisconsin Supreme discussed the matter as regarding "regulation of the sale of alcohol." *See Nowell*, 2013 WI 88 at ¶¶ 45, 47 (citation omitted). Because regulation of revocation procedure may be considered as a

regulation for the sale of alcohol beverages, MCO § 90-12-4 is a proper exercise of the City's power pursuant to Wis. Stat. § 125.10(1).

There is one relevant statute both parties have failed to mention: Wis. Stat. § 62.11(5), source of cities' statutory home-rule authority. Regulation of the sale of alcohol "is part of the police power granted to the city council under Wis. Stat. § 62.11(5), which may 'be limited only by express language.'" *Nowell*, 2013 WI 88 at ¶ 45 (citation omitted). Wis. Stat. § 125.12(2)(ag) does not contain express language limiting initiation of revocation proceedings to citizen complaints. In fact, Wis. Stat. § 125.12(2)(ag) states that "Any resident of a municipality issuing licenses under this chapter may file a sworn written complaint," (emphasis added), making a citizen complaint permissive, not mandatory. An ordinance enacted pursuant to a city's statutory home-rule power may affect a matter of statewide concern legislature so long as the ordinance does not conflict with state law and is not otherwise preempted. *See City of Madison v. Schultz*, 98 Wis. 2d 188, 195-202, 295 N.W.2d 798 (Ct. App. 1980); *Adams v. State Livestock Facilities Siting Review Bd.*, 2012 WI 85, ¶ 32, 342 Wis. 2d 444, 820 N.W.2d 404. MCO § 90-12-4 does not conflict with and is not preempted by Wis. Stat. § 125.12(2)(ag). Finally, regulation of the sale of alcohol has traditionally been viewed as a matter of local concern, *Nowell*, 2013 WI 88 at ¶¶ 45, 47 (citation omitted), and therefore is properly a subject of local regulation. Thus, it is proper for municipalities to enact additional regulation of the alcohol license revocation process as long as such regulations are not inconsistent with state statute.

Sanchez argues that Note 1 to section 125.10 in 1981 WI Act 79, sec. 8 "makes clear" a legislative intent that Wis. Stat. § 125.10(1) only empower municipalities to impose penalties different than state law. But Note 1 does not address sub. (1) specifically, nor does it support Sanchez's position. It simply states that municipalities are empowered to provide civil forfeiture

for alcohol ordinance violations. The Note contains no limiting language and simply points out one way in which municipal power had been enlarged. And Sanchez conveniently omits reference to Note 2, which states: “The authorization to prescribe regulations has been restated to clarify that the regulations may incorporate state law or provide additional regulations so long as the regulations do not conflict with state law.” Therefore I find the Act expressly affirms a municipality’s broad power to regulate in this area rather than indicate a legislative intent to limit it.

The cases Sanchez relies on are distinguishable. First, Sanchez cites *Park 6 LLC v. City of Racine*, 2012 WI App 123, 344 Wis. 2d 661, 824 N.W.2d 903, for the proposition that the requirements of Wis. Stat. § 125.12(2) are essential due process safeguards without which the municipality has no jurisdiction. However, the Court of Appeals in *Park 6* did not address every element in Wis. Stat. § 125.12(2) – it only examined the requirement that a citizen complaint be sworn pursuant to Wis. Stat. § 125.12(2)(ag). *See id.* at ¶ 11. The Court stated: “An oath or swearing requirement is important. The solemnity imposed by an oath requires the actor to stop and consider the allegations he or she is making...[and] prevents baseless harassment of legitimate businesses.” *Id.* This holding cannot be generalized to all elements in Wis. Stat. § 125.12(2).

Sanchez has not alleged that Police Chief Flynn’s designee did not swear to the charges or “stop and consider the allegations,” and so the sworn charges here do not run afoul of *Park 6*. The *Park 6* decision also indicated that a statement made by a Chief of Police bears an imprimatur of honesty lacking in a layperson: “While we have no reason to doubt Wahlen’s honesty, he did not make the complaint as chief of police...Safeguards applicable to Wahlen as chief of police do not cloak him with trustworthiness when he acts as a private citizen.” *Id.* at ¶



10. So in the case at bar, rather than detracting from the guarantee of due process, the fact that the charges were sworn to by the Police Chief's designee increases the Court's confidence in the justness and adequacy of the complaint.

Importantly, the Court of Appeals in *Park 6* did not state that citizen complaint is the only way revocation proceedings may be initiated. That Court had no reason to address any other means of initiation because the City of Racine only allows citizen complaint under Wis. Stats. § 125.12 – Racine has no ordinance analogous to Milwaukee's that allows institution of proceedings upon sworn charges by the chief of police.

Second, Sanchez cites *Wisconsin Dolls LLC v. Town of Dell Prairie*, 2012 WI 76, 342 Wis. 2d 350, 815 N.W.2d 690 to illustrate that the Wisconsin Supreme Court “rejected a similar power grab by a municipality.” In *Wisconsin Dolls*, the Town acted unilaterally, not pursuant to Wis. Stat. ch. 125 or one of its own ordinances, to change the parameters of a liquor license upon renewal. The Town asserted that Wis. Stat. § 125.10(1) provided a general power to act without needing to pass an ordinance. The Supreme Court rejected this interpretation and found that the Town must act pursuant to an ordinance or Wis. Stat. § 125.12:

While towns can regulate alcohol beverages as provided by the statute, § 125.10(1) does not give towns the authority to unilaterally modify the described premises in an individual license upon renewal of that license. In short, a town must either pass a regulation or an ordinance under Wis. Stat. § 125.10 or it must find grounds for revocation or nonrenewal under Wis. Stat. § 125.12.

*Id.* at ¶ 49. Conversely, the City of Milwaukee did not act unilaterally – it passed an ordinance under Wis. Stat. § 125.10. In addition, the “power grab” *Wisconsin Dolls* addressed was that of a town, not a city. Towns do not have home-rule authority and but cities do. Art. XI, s. 3 (1), Wis. Const.; Wis. Stat. § 62.11(5). Far from being a power grab, I find the City of Milwaukee has acted according to its duly authorized statutory authority.

## 2. Substantial Evidence

Sanchez's second argument is that the City's revocation decision was not supported by substantial evidence and so was arbitrary and capricious. Sanchez contends that the only evidence for the City's decision was one incident of keeping the bar open after hours when there was alleged mix-up regarding daylight savings time. He also asserts that the Licenses Committee's decision was arbitrary and capricious because: (1) the Committee improperly attributed their belief that Sanchez's witness lied to Sanchez himself; and (2) there was no basis for the belief that Sanchez refused to cooperate the police investigation of the shooting.

Resolution of this issue depends on the criteria for revocation and whether there was substantial evidence to support the presence of those criteria in this case. The Licenses Committee concluded that Sanchez had not met the criteria of MCO ch. 90 or Wis. Stat. ch. 125 to allow El Rodeo's continued operation and recommended revocation. The Common Council adopted the Licenses Committee recommendation based on "the police report."

MCO § 90-12-1 lists nine causes for which a tavern license must be revoked:

- a. The making of any material false statement in any application for a license.
- b. The conviction of the licensee, his agent, manager, operator or any other employee for keeping a gambling house or a house of prostitution or any felony related to the licensed operation.
- c. A showing that such licensee has violated any state law or city ordinance prohibiting the sale of intoxicating liquors or fermented malt beverages to underage persons, or to any person intoxicated or bordering on the state of intoxication.
- d. The violation of the provisions in ss. 90-7 through 90-10 and 90-13 through 90-31.
- e. The violation of any of the excise laws of this state.
- f. The licensed premises is operated in such a manner that it constitutes a public or private nuisance or that conduct on the licensed premises, including but not limited to loud and raucous noise, has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood; or
- g. If the licensee is a corporation or licensed limited partnership, the conviction of the corporate agent, officers, directors, members or any shareholder holding 20% or more of the corporation's total or voting stock, or proxies for that amount of stock, of any of the offenses enumerated in s. 125.12(2)(ag), Wis. Stats., as amended.

- h. Failure of the licensee to operate the premise in accordance with the floor plan and plan of operation submitted pursuant to s. 90-5-1-c.
- i. For any other reasonable cause which shall be in the best interests and good order of the city.

In addition, MCO § 90-12-1 states that any license “may be suspended or revoked for cause.”

Although, what constitutes cause is a mystery as that term is not further defined in the ordinance.

MCO § 108-11-3 states that circumstances listed in MCO § 85-4-4 provides the bases for public entertainment premises revocation. MCO § 85-4-4 provides three such situation bases:

- a. Failure of the applicant to meet municipal qualifications.
- b. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant.
- c. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following:
  - c-1. Disturbance of the peace.
  - c-2. Illegal drug activity.
  - c-3. Public drunkenness.
  - c-4. Drinking in public.
  - c-5. Harassment of passers-by.
  - c-6. Gambling.
  - c-7. Prostitution.
  - c-8. Sale of stolen goods.
  - c-9. Public urination.
  - c-10. Theft.
  - c-11. Assaults.
  - c-12. Battery.
  - c-13. Acts of vandalism including graffiti.
  - c-14. Excessive littering.
  - c-15. Loitering.
  - c-16. Illegal parking.
  - c-17. Loud noise at times when the licensed premise is open for business.
  - c-18. Traffic violations.
  - c-19. Curfew violations.
  - c-20. Lewd conduct.
  - c-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
  - c-22. Any other factor which reasonably relates to the public health, safety and welfare.

The difficulty that the Court encounters at this point in the analysis is that it has no idea what specific causes the Licenses Committee used as the basis for its revocation recommendation. In its written report to the Common Council, the Licenses Committee summarily stated: "...the Committee concludes that the licensee, Horacio Sanchez did not meet the criteria of chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow the continued operation of the premises." See City Clerk License Division certified record of revocation proceedings Bates Stamp p. 37. The Court cannot determine whether there is substantial evidence in the record to support the Licenses Committee's conclusion when the Committee does not say exactly what its decision was. Not only does this lack of specificity prevent the Court from conducting its certiorari review, it is also a violation of MCO § 90-12-5c., which states "The report and recommendations shall include specific findings of fact and conclusions of law made by the committee." (emphasis added). There are several bases for revocation under MCO § 90-12-1 and the Court will not substitute its judgment for that of the Licenses Committee.

The Court observes that at several points during the hearing after the body was in committee, Alderpersons on the Licenses Committee alluded to the fact that their vote to revoke was based on their belief that Sanchez and one of his witnesses, Estella Hernandez, lied to the Committee during the hearing. These statements include:

ALDERMAN KOVAC: If all the facts were: One shooting; a small amount of personal-use cocaine; pushing the envelope with an outside promoter on whatever was going on in there, if that's all it was, you know, that's all serious and , frankly, the stuff with not cooperating over the shooting is that much more serious. But the lying, the bald-face lying...But the context of how this bar manager responded along with their Attorney..." (Transcript, License Committee hearing, p. 131, lines 9-15, p.132, lines 4-6).

ALDERMAN KOVAC: The motion is for revocation of both licenses based on the police report, the police testimony, and the aldermanic testimony. And, frankly, mostly based on the testimony of the applicants themselves. (Id. at p. 132, lines 13-17) (emphasis added).

CHAIRMAN ZIELINSKI: Exactly, and I'll be supporting that motion. I'll tell you, I've heard some people, you know, caught red-handed before, but this one is like the top of the list... The more you talk, the deeper you dig the hole. And, you know, a lot of this stuff boils down to credibility, and that sealed the deal for me. (Id. at p. 132, lines 18-21 and p. 133, lines 3-6) (emphasis added).

ALDERMAN DUDZIK: Mr. Chairman, I'm thinking very seriously about opposing the revocation of both licenses. And the reason I'm thinking about it, although I don't trust the applicant any farther than I can spit either one of them, I gotta be honest with you, if the standard is that if we're going to go for revocation for every bar or applicant that lies to us, we're going to be shutting down half the bars in this city... seriously, if we're going to start closing bars down because the applicants are liars or they don't pull through on their promises... because Milwaukee will be a dry city in a matter of months. (Id. at p. 133, lines 9-18 and p. 134, lines 1-5) (emphasis added).

ALDERMAN KOVAC: I'm sensitive to that, so you try the degree of the lie, you know, and what's being lied about... but the other thing I would point out that's different about lies at this table is they're under oath. It's one thing - - I know Alderman Dudzik makes the rounds - - and it's one thing for a bar owner or bartender or anyone visiting those places to spin a tale. That's maybe what drinking is for, right, every now and then? But when you're under oath and you're sober, you're under oath and you're sober. (Id. at p. 134, lines 11-13, 18-25 and p. 135, line 1).

CHAIRMAN ZIELINSKI: ...that, you know, casts a big shadow over, you know, the credibility for me, over some serious issues. (Id. at p. 135, lines 11-12).

This Court doubts that lying to the Committee is a basis for revocation under MCO § 90-12-1, either under the permissive "for cause" or the mandatory "other reasonable cause which shall be in the best interests and good order of the city." The possibility that the Licenses Committee made its recommendation on an impermissible basis makes the need for clear, specific conclusions of law even more imperative. Revocation seems to be a harsh remedy for the ostensibly isolated incidents described in this record. I do not presume to know and will not guess which basis or bases the Licenses Committee acted upon. I find the degree of specificity contained in the Licenses Committee's conclusions of law is insufficient. Therefore the Court

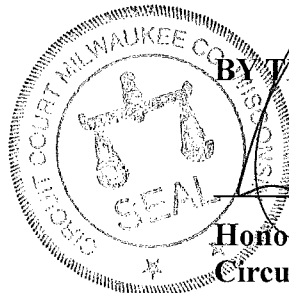
orders this case be remanded to the Licenses Committee for it to make specific conclusions of law about how the evidence and findings of fact support which specific bases for revocation.

**CONCLUSION**

Based upon a review of the record and the briefs of the parties, the Court finds that although the City of Milwaukee kept within its jurisdiction, the Licenses Committee's conclusions of law were so vague as to prevent the Court from completing its certiorari review. Accordingly, the matter IS HEREBY REMANDED to the Licenses Committee to with ORDERS to make specific conclusions of law as to which items of evidence and findings of fact support which bases for revocation.

**SO ORDERED.**

Dated this 22 day of June, 2014, at Milwaukee, Wisconsin. /



**BY THE COURT:**

**Honorable David A. Hansher**  
**Circuit Court Judge**

**THIS DECISION AND ORDER IS FINAL FOR THE PURPOSES OF APPEAL**