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MEISSNER TIERNEY FISHER & NICHOLS S.C.

Jacob A. Sosnay
Attorney At Law
jas@mtfn.com v

July 23, 2206

VIA U.S. MAIL

Clerk of Court
West Allis City Municipal Court
11301 W. Lincoln Ave.
West Allis, WI 53227

RECEIVED
JUL 27 2026
City of West Allis
City Clerk

RE: City of West Allis v. Sosnay, Joanna Lynn
Citation No. 1S80DCL4KM -- Incident No. 26-015296

Dear Clerk of Court:

Enclosed for filing in the above-referenced matter please find Defendant's Motion for Pretrial Discovery Under Wis. Stat. § 800.07, together with its supporting Schedule A.

A copy of this filing has been served on Nhu H. Arn, Principal Assistant City Attorney, and Kail Decker, City Attorney, as reflected in the enclosed Certificate of Service.

We respectfully request that the Court set this motion for hearing on its next available pretrial or motion calendar and advise the undersigned of the assigned date and time. Please contact this office if any additional filing fee, appearance, or scheduling information is required.

Enclosed is a self-addressed, stamped envelope. We would appreciate the Clerk's office returning a file-stamped copy of the motion in the enclosed envelope for our records.

Please do not hesitate to contact me with any questions.

Very truly yours,

MEISSNER TIERNEY FISHER & NICHOLS S.C.

Jacob A. Sosnay

Enclosures: Defendant's Motion for Pretrial Discovery Under Wis. Stat. § 800.07 (with Schedule A and Certificate of Service); self-addressed, stamped envelope

cc: Nhu H. Arn (via enclosed Certificate of Service)

STATE OF WISCONSIN
MUNICIPAL COURT -- CITY OF WEST ALLIS
MILWAUKEE COUNTY

CITY OF WEST ALLIS,

Plaintiff,

v.

JOANNA LYNN SOSNAY,

Defendant.

Citation No. 1S80DCL4KM

Incident No. 26-015296

DEFENDANT'S MOTION FOR PRETRIAL DISCOVERY UNDER WIS. STAT. § 800.07

NOW COMES, Defendant, Joanna Lynn Sosnay, by counsel her undersigned counsel of record, Jacob A. Sosnay, Meissner Tierney Fisher & Nichols S.C., and moves this Court under Wis. Stat. § 800.07 for an order permitting pretrial discovery and inspection of the items described in the attached Schedule A, and in support states:

BACKGROUND AND TIMELINESS

1. This action was commenced by citation alleging a violation of West Allis Municipal Ordinance WA-947.01 (adopting Wis. Stat. § 947.01, disorderly conduct), arising from an incident occurring on or about April 20, 2026, at 1002 S. 124th St., West Allis, Wisconsin. The citing officer was Officer Douglas G. Sayeg, Badge/Payroll No. DS2770, West Allis Police Department.

2. Defendant's initial appearance in person or by an attorney occurred on or about July 8, 2026. This motion is filed within 30 days of that appearance and is therefore timely under the first sentence of Wis. Stat. § 800.07.

3. In the alternative, and without conceding that the 30-day period under the statute's first sentence has run, Defendant shows cause for the discovery requested at this time under the statute's second sentence, which permits a motion for pretrial discovery "at any other time upon a showing of cause for that discovery." The showing of cause is set forth in Paragraphs 5 through 8 below.

4. Discovery under § 800.07 is committed to the Court's discretion and is not self-executing; no item identified in Schedule A is deemed produced, and no custodian is obligated to produce it, absent an order of this Court.

SHOWING OF CAUSE

5. The citation rests on an on-scene charging determination made by Officer Sayeg before any recorded contact with Defendant, following a response in which the complaining witness was permitted to self-upload the sole surveillance recording rather than have it collected directly by the Department. Defendant's anticipated defense includes that the conduct at issue was reactive and defensive rather than disorderly, and that the responding officers did not test the competing accounts of the parties present before the charging decision was made.

6. The items requested in Schedule A, Categories A through D — the Department's written policies and procedures governing field investigation of reported disorderly conduct and multi-party disturbance calls, the conduct and documentation of separate witness interviews, incident report authoring and supervisory review, and the collection and retention of physical and digital evidence — bear directly on whether the investigation and report in this matter conformed to the Department's own required practice. That question is material both to the reliability of the citation's factual basis and to any impeachment of the reporting officer's investigative methodology at trial.

7. The items requested in Schedule A, Category E — activation, deactivation, and retention logs for the body-worn cameras used by Officer Sayeg and Officer Stephanie Mueller on April 20, 2026 — fall within the express terms of Wis. Stat. § 800.07, which permits the defendant to "test... any devices used by the plaintiff to determine whether a violation has been committed."

8. The items requested in Schedule A, Categories F through H — training and certification records, and personnel and disciplinary/internal-affairs history, for Officer Sayeg and Officer Mueller — bear on the officers' competence to make the charging determination at issue and, to the extent any disciplinary or internal-affairs record concerns truthfulness, report accuracy, or improper charging practice, constitute material impeachment evidence subject to disclosure under Brady v. Maryland, 373 U.S. 83 (1963), and its state-law analogs. Defendant recognizes that personnel and internal-affairs records carry independent statutory confidentiality protection under Wis. Stat. §§ 19.36(10)(d) and 165.63, and accordingly requests, as to Categories F through H only, that the Court order production for in camera review in the first instance, with disclosure to Defendant limited to those portions the Court determines are material following that review.

RELIEF REQUESTED

9. WHEREFORE, Defendant Joanna Lynn Sosnay respectfully requests that the Court enter an order:

   (a) directing the City of West Allis and the West Allis Police Department to produce for Defendant's inspection and copying the items described in Schedule A, Categories A through E;

   (b) directing production, for in camera review by the Court, of the items described in Schedule A, Categories F through H, with disclosure of any material portions to Defendant to follow the Court's review; and

   (c) granting such other and further relief as the Court deems just.

Dated this 23d day of July, 2026.

[***signature page and Certificate of Service follow***]

Respectfully submitted,

MEISSNER TIERNEY FISHER & NICHOLS S.C.

By: _____

Jacob A. Sosnay
State Bar No. 1063964

P.O. Address:
111 East Kilbourn Avenue, Suite 1900
Milwaukee, Wisconsin 53202
Attorney for Defendant Joanna Lynn Sosnay

CERTIFICATE OF SERVICE

I certify that on July 23, 2026, a copy of this motion and its Schedule A were served by electronic mail and U.S. Mail on Nhu H. Arn, Principal Assistant City Attorney, and Kail Decker, City Attorney, City of West Allis, 7525 W. Greenfield Ave., West Allis, Wisconsin 53214.

_____

Jacob A. Sosnay

SCHEDULE A

ITEMS REQUESTED FOR PRETRIAL DISCOVERY

Unless otherwise specified, each item below is requested as it existed and was in effect on April 20, 2026, and is sought from the City of West Allis and the West Allis Police Department as custodian.

A. All written policies, procedures, general orders, and standard operating procedures governing officer investigation of reported disorderly conduct and multi-party domestic-adjacent disturbance calls, including any protocol governing on-scene charging determinations.

B. All written policies and procedures governing the conduct and documentation of separate witness interviews at a multi-party disturbance call.

C. All written policies and procedures governing incident report authoring, required content, and supervisory review or sign-off before a report is finalized.

D. All written policies and procedures governing the collection, chain of custody, and retention of physical and digital evidence, including surveillance video offered or self-uploaded by a civilian witness and body-worn camera footage, together with any provision addressing retention period and access restrictions under Wis. Stat. § 165.87.

E. Activation, deactivation, and retention logs for the body-worn cameras used by Officer Douglas G. Sayeg and Officer Stephanie Mueller on April 20, 2026, including any log reflecting activation time, deactivation time, or any gap or interruption in recording.

F. Training records and certifications for Officer Douglas G. Sayeg (Badge/Payroll No. DS2770) and Officer Stephanie Mueller concerning domestic disturbance response, de-escalation, disorderly conduct charging standards, and evidence collection, for the five years preceding April 20, 2026.

G. Complete personnel files of Officer Douglas G. Sayeg and Officer Stephanie Mueller — requested for in camera review by the Court under Paragraph 8 of the motion.

H. Disciplinary history, citizen complaint records, and internal affairs files concerning Officer Douglas G. Sayeg and Officer Stephanie Mueller, including any sustained finding relating to investigative adequacy, report accuracy, or truthfulness — requested for in camera review by the Court under Paragraph 8 of the motion.