

# Fitzgerald vows appeal after judge refuses to reinstate lame-duck appointments

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Senate Majority Leader Scott Fitzgerald vowed to appeal a court's decision today rejecting the GOP Legislature's request to restore former Gov. Scott Walker's 82 appointments.

Meanwhile, a spokeswoman for Gov. Tony Evers says the decision shows the gov "acted properly and within the law" to withdraw the appointments and name his own.

The 3rd District Court of Appeals today shot down a request from GOP lawmakers to overturn Evers' decision to rescind the appointments made in the waning days of the Walker administration.

Evers withdrew the appointments after a Dane County judge ruled the Legislature's actions in the December extraordinary session were improper. The 3rd District Court of Appeals later stayed that ruling but not until after Evers had nixed the appointments.

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GOP lawmakers then asked the appeals court for a clarification on its order, arguing the stay was clear that the appointments Walker made and the Senate confirmed had been restored. Evers disagreed with that position, arguing the stay didn't overturn his actions.

But in today's ruling, the 3rd District says Evers "has presented a more accurate characterization" of its stay. That ruling, the court added, doesn't address the validity of Evers' actions on the nominations, "much less require him to reinstate

the appointees who were withdrawn prior to our issuing a stay.”