

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN

El Rancho LLC et al vs. City of Sheboygan et al

Electronic Filing Notice

Case No. 2026CV000253

Class Code: Petition for Writ of Certiorari

FILED 04-07-2026

Sheboygan County Clerk of Circuit Court 2026CV000253 Honorable Rebecca L. Persick Branch 4

CITY OF SHEBOYGAN 828 CENTER AVE SHEBOYGAN WI 53081

Process Server Date: 4/8/26 Time: 2:11 am Personal Substite Posted Corporate

Case number 2026CV000253 was electronically filed with/converted by the Sheboygan County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at http://efiling.wicourts.gov/ and may withdraw as an electronic party at any time. There is a fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: 313ae3

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 920-459-3068.

Sheboygan County Circuit Court Date: April 8, 2026

FILED
04-07-2026
Sheboygan County
Clerk of Circuit Court
2026CV000253
Honorable Rebecca L.
Persick
Branch 4

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

El Rancho LLC, and
Juan Negrete
1725 N 8th Street
Sheboygan, Wisconsin 53081

Plaintiff-Petitioners

vs.

Case No:

Case Code: 30955

City of Sheboygan, and
City of Sheboygan Common Council
828 Center Ave.
Sheboygan, Wisconsin 53081

Defendant-Respondents.

SUMMONS

THE STATE OF WISCONSIN, To each person named above as a Defendant: You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this summons, you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is Clerk of Circuit Court, Sheboygan County Courthouse, 615 N. 6th Street, Sheboygan Wisconsin 53081, and to Dierkes Law Office, LLC, Plaintiff's attorney, whose address is 610 Riverfront Drive, Sheboygan, Wisconsin 53081. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

April 7th, 2026

610 Riverfront Drive
Sheboygan, Wisconsin 53081
Telephone: 920-457-5703
dierkes@dierkeslaw.com

Dierkes Law Office, LLC
Electronically signed by:
Attorney Jason E. Dierkes
Attorney for Plaintiff-Petitioners
State Bar No: 1038554

FILED
04-07-2026
Sheboygan County
Clerk of Circuit Court
2026CV000253
Honorable Rebecca L.
Persick
Branch 4

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

El Rancho LLC, and
Juan Negrete
1725 N 8th Street
Sheboygan, Wisconsin 53081

Plaintiff-Petitioners

Case No:

vs.

Case Code: 30955

City of Sheboygan, and
City of Sheboygan Common Council
828 Center Ave.
Sheboygan, Wisconsin 53081

Defendant-Respondents.

Petition for Writ of Certiorari

The plaintiff petitioners', El Rancho LLC and Juan Negrete, through their attorney Jason E. Dierkes, of Dierkes Law Office, LLC, allege as follows:

PARTIES

1. Plaintiff-Petitioner, El Ranchoo LLC is a Wisconsin limited liability company. Its agent and representative license applicant, Juan Negrete, is a Wisconsin resident and owner-member of the LLC, with a principal place of business at 1515 New Jersey Ave., Sheboygan, Wisconsin 53081.
2. Defendant, City of Sheboygan is a Wisconsin municipality and the Common Council is the governing municipal body with the authority of granting, or denying, Class B Liquor licenses within its jurisdiction.

JURISDICTION AND VENUE

3. This court has jurisdiction over the subject matter pursuant to Article VII §8 of the Wisconsin Constitution, and Wis.Stat. §125(12)(2)(d).

GENERAL ALLEGATIONS

5. My Place Bar & Grill located at 1515 New Jersey Ave., in Sheboygan, Wisconsin has operated and done business with a valid liquor license for an extended period of time, issued by the City of Sheboygan, and held by Alex Sosa.

6. In January 2026, Alex Sosa and Juan Negrete entered into an agreement for the purchase of the establishment, and together they submitted a liquor license transfer application to the City.

7. On February 9th, 2026 the liquor license transfer application went before the City of Sheboygan Licensing, Hearing, and Public Safety Committee, at which time there was inquiry regarding any relationship of the applicant Juan Negrete to a separate legal entity licensed by the City, at a different location, and owned by Elena Cortez. Upon further discussion, the City Attorney commented:

*“I’ll offer that when the police department, the clerk’s department,
and the city attorney’s department, first assessed this application
consistent with our policies and procedures, there was not a reason
to recommend denial.”*

City of Sheboygan, Licensing, Hearing, and Public Safety Committee

2-9-2026 video beginning at 19 mins.

8. El Rancho LLC’s Articles of Organization were filed in January of 2026, and Juan Negrete is the authorized agent and applicant for the liquor license transfer pursuant to Wis.Stat.125.04(5)(c).

9. Juan Negrete meets the statutory requirements set-forth in Wis.Stat.125.04(5)(a) - no criminal conviction, resident at least 90 days, etc.
10. Juan Negrete did not attend the February 9th, 2026 Licensing, Hearing, and Public Safety Committee hearing, and the hearing was adjourned to invite Juan Negrete to the next scheduled meeting.
11. On February 23rd, 2026, Juan Negrete attended the Licensing, Hearing, and Public Safety Committee hearing, where Juan Negrete was asked about any connection to another currently licensed bar in the City of Sheboygan named Mi Ranchito. Juan Negrete advised that the other bar is owned by his girlfriend, Elena Cortez, not him, and this application was completely in his name, etc.
12. Also at the February 23rd, 2026 Licensing, Hearing, and Public Safety Committee hearing the police department provided commentary about being concerned about past issues that have occurred at Mi Ranchito on Indiana Ave., whose liquor license is held by Elena Cortez. At this hearing the department did not believe the 1515 New Jersey Ave location was a fit despite the location having been a licensed bar location for decades.
13. In addition, at the February 23rd, 2026 hearing, the committee considered an incident that occurred over 1 year prior involving Juan Negrete where a municipal citation for disorderly conduct was issued and later dismissed by the City, in contradiction to the prohibition against discrimination on arrest or conviction record and set-forth in Wis.Stat.125.12(12)((b)(2).
Wis.Stat.111.321 et seq; City of Sheboygan, Licensing, Hearing, and Public Safety Committee 2-23-2026 video beginning at 9:45.
14. At the February 23rd, 2026 hearing the Licensing, Hearing, and Public Safety Committee voted to recommend the Common Council deny El Rancho - Juan Negrete's liquor license transfer application.

15. On March 6th, 2026 El Rancho - Juan Negrete's transfer application went before the Common Council, at which time the City Attorney was asked to speak first. The City Attorney advised the Council that the Licensing, Hearing, and Public Safety Committee recommended denial of the applicant, but that the applicant - Juan Negrete satisfies the minimum requirements under State and Local law for the license, and while the Council can consider other factors, those other factors can't be discriminatory.

Immediately after those comments by the City Attorney, the matter was voted to be returned to the Licensing, Hearing, and Public Safety Committee. *City of Sheboygan, Common Council Hearing, 3-6-2026 video beginning at 25:44*

16. On March 10th, 2026 the Law and License Committee took up El Rancho - Juan Negrete's liquor license transfer application again, and again discussed the incident that resulted in the Municipal Court Citation for disorderly conduct, but this time the committee voted to recommend Approval of the license transfer to the Common Council.

17. On March 16th, 2026, six days after the committee's recommended Approval, the issue went before the common council again. At his hearing, the police department made additional commentary regarding the application. After the March 10th, 2026 recommendation for approval, but before the Common Council hearing of March 16th, 2026, on March 14th or March 15th, 2026, officers stopped at 1515 New Jersey Ave., entered, and the police department commentary provided to the Council stated that an officer observed there were patrons eating food, and that the officer did not observe any alcohol out, but did observe mixers on the bar rail, and liquor in the establishment. It was further asked of the City Clerk to correct if wrong, but the speaker informed the Council that the location does not have a valid or active liquor license. Finally, it was observed that there were active gambling machines being used. This event, after the committee's recommendation of approval, but before the common council vote, was used as the basis to not follow the committee's recommendation of Approval six days earlier, and

instead deny the liquor license transfer application. *City of Sheboygan, Common Council Hearing, 3-16-2026 video beginning at 30:30*

18. It is undisputed that El Rancho has the proper permits, inspections, and license to operate and sell food at 1515 New Jersey Ave at the time of the incident of March 14th and 15th, 2026.

19. The City Clerk should have corrected the police department representative when asked to do so in the commentary, as 11515 New Jersey has a valid liquor license, Juan Negrete applied for a "Transfer" of liquor license from Alex Sosa.

"This application is a "Transfer of License." City of Sheboygan, Law & Licensee Committee 2-9-2026 video beginning at 17:00

20. The presence or use of the 'gambling machines' as a basis for denial is prohibited by 125.12(1)(c).

**FIRST CAUSE OF ACTION
(Writ of Certiorari)**

21. Paragraphs 1 through 20 are incorporated herein by reference as if fully set forth.

22. The applicant El Rancho and Juan Negrete meet the statutory requirements set-forth by statute for the qualifications for holding or issuance of a liquor license.

23. This Court's review is limited to: (1) whether the Council 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.

24. The evidence in the record must be substantial.

25. The Common Council's consideration of any municipal citation issued for disorderly conduct, and dismissed, over 1 year ago is discriminatory to the applicant as defined by statute and prohibited, and as a result the Council did not act according to law.

26. The Common Council's consideration of the commentary provided at the hearing that an officer did not observe any alcohol out, but did observe mixers in the bar rail, is not evidence because commentary provided was hearsay and not provided by the observing officer, is not substantial, and as a result the Council did not act according to law.
27. The Common Council's consideration of the provided commentary at the hearing that the location does not have a valid liquor license is an incorrect statement, as El Rancho - Juan Negerete's application was a Transfer Application. A transfer application by definition means someone has a license- to transfer. Which makes the comments at the hearing considered by the Council were factually incorrect. It is not evidence, is not substantial, and as a result the Council did not act according to law.
28. No liquor was being served, or sold, and the operation of selling food was lawful.
29. The Common Council's consideration of the commentary provided that an officer observed operation of gambling machines, and that is a violation of the law without a license, is discriminatory or prohibited for consideration by statute, and as a result the Council did not act according to law.
30. The Committee's and the Common Council's consideration of any issues involving a separate licensed liquor holder who is not the *applicant*, and the back and forth between committee and council to deny, approve, and then deny, demonstrates the Council exercised its decision making authority improperly by looking for reasons to deny, a pre-text, and imputing issues on the applicant that are not related to the applicant. It represented the Council's will, not its judgment, and therefore acted outside of its authority.
31. The alleged reasons provided by the denial, "lack of cooperation and noncompliance with law enforcement" was not supported by the evidence such that it might reasonably make the order or determination in question.

Wherefore, the plaintiff-petitioner demands:

- (a) For an Order that the City acted outside of the law and in a discriminatory manner when it considered the matters as set-forth herein;
- (b) For an Order that the City did not base any decision on admissible evidence in the record, and any evidence that was considered was not substantial to authorize denial;
- (c) For an Order remanding the application go back to the City to consider the Transfer Application according to the applicable law;
- (d) For such other and further relief as the court may deem just and proper.

April 7th, 2026

Dierkes Law Office, LLC
Electronically signed by:
Attorney Jason E. Dierkes
Attorney for Plaintiffs-Petitioners
State Bar No: 1038554

610 Riverfront Drive
Sheboygan, Wisconsin 53081
Telephone: 920-457-5703
dierkes@dierkeslaw.com



March 18, 2026

El Rancho, LLC, DBA: El Rancho Bar and Grill
Attn: Juan Negrete
1725 N. 8th Street
Sheboygan WI 53081

VIA CERTIFIED MAIL

9589 0710 5270 2242 8477 16

Re: El Rancho, LLC, DBA: El Rancho Bar and Grill;
Premises: 1515 New Jersey Ave
License No. 3767

Dear Mr. Negrete,

Pursuant to Wisconsin Statute § 125.12(3m), we are informing you of the City of Sheboygan Common Council's decision to deny the "Class B" Liquor Alcohol Beverage License Application for El Rancho, LLC, DBA: El Rancho Bar and Grill.

On March 16, 2026, the City of Sheboygan Common Council denied the "Class B" Liquor Alcohol Beverage License Application submitted by El Rancho, LLC, DBA: El Rancho Bar and Grill due to lack of cooperation and noncompliance with law enforcement. Compliance with law enforcement regulations and cooperation with public safety officials are essential responsibilities of all license holders.

You may seek review and/or appeal of this decision pursuant to applicable state law, including Wisconsin Statute § 125.12, and any applicable provisions of the Sheboygan Municipal Code.

Sincerely,

Meredith DeBruin
City Clerk
City of Sheboygan
828 Center Avenue
Sheboygan, WI 53081
920-459-3361

CITY CLERK'S OFFICE

CITY HALL
828 CENTER AVE.
SUITE 103
SHEBOYGAN, WI 53081

920-459-3361
sheboyganwi.gov

MD/ns

cc: Sgt. Rebecca Rupnick
Attorney Liz Majerus
File – Licensing Clerk, Nichole Shilts