

**8012 TRESPASSER: DEFINITION**

A person who enters or remains upon property in possession of another without express or implied consent is a trespasser.

**COMMENT**

This instruction was revised in 2012 in accordance with Wis. Stat. ' 895.529(1)(b) (2011 Wisconsin Act 93).

Wendt v. Manegold Stone Co., 240 Wis. 638, 4 N.W.2d 134 (1942); Grossenbach v. Devonshire Realty, 218 Wis. 633, 261 N.W. 742 (1935); Antoniewicz v. Reszczyński, 70 Wis.2d 836, 236 N.W.2d 1 (1975); Reddington v. Beefeaters Tables, Inc., 72 Wis.2d 119, 240 N.W.2d 363 (1975); Monsivais v. Winzenried, 179 Wis.2d 750, 508 N.W.2d 620 (Ct. App 1993).

For an instruction on the issue of consent, see Wis JI-Civil 8015.