

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Michael A. Sveum**

**Appeal Number 2008AP000658 - CR**

**Supreme Court**

## CASE HISTORY

| Status | Court | Filing Date                                     | Anticipated Due Date | Activity  |
|--------|-------|---|----------------------|---|
| OCCD   | SC    | 12-10-2010                                      |                      | Letter/Correspondence   |
| OCCD   | SC    | 10-25-2010                                      |                      | Letter/Correspondence   |
| OCCD   | SC    | 08-27-2010                                      |                      | Remittitur  |
| OCCD   | SC    | 07-20-2010<br>328 Wis. 2d 369                   |                      | Cites   |
| OCCD   | SC    | 07-20-2010<br>787 N.W.2d 317                    |                      | Cites   |
| OCCD   | SC    | 07-20-2010                                      |                      | <a href="#">Opinion/Decision</a><br>Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman<br>Opinion: Opinion<br>Decision: Affirmed Pages: 37<br>Written by: Roggensack, Patience Drake<br>Abrahamson, Shirley S. Wrote Dissenting Opinion 19 pages.<br>Ziegler, Annette K. Wrote Concurring Opinion 8 pages.<br>Crooks, N. Patrick Wrote Concurring Opinion 3 pages.<br>Bradley, Ann Walsh Joined Dissenting Opinion<br>Order Text: The decision of the court of appeals is affirmed. |
| OCCD   | SC    | 07-19-2010<br>Comment: PDC No: 2010 WI 92       |                      | Public Domain Citation  |
| OCCD   | SC    | 03-02-2010                                      |                      | Oral Argument   |
| OCCD   | SC    | 02-26-2010                                      |                      | Briefs Received At State Law Library  |
| OCCD   | SC    | 02-24-2010<br>Filed By: 10264 (O'Brien, Daniel) |                      | Other Brief-Supreme Court   |

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OCCD SC 02-19-2010 Motion for Miscellaneous Relief

Filed By: Dean Strang  
Submit Date: 2-19-2010  
Decision: (O) Other  
Decision Date: 2-24-2010  
ORD that the motion is granted in part, and the renewed request is denied. The amici curiae shall be permitted to participate in the oral argument using 5 minutes of defendant-appellant-petitioner's allotted 30 minutes for argument. Additional oral argument time will not be granted.  
Abrahamson, C.J., dissents, noting the Chief Justice would have granted the amici curiae 10 minutes of oral argument time.  
Crooks, J., joins the dissent.  
Motion Response  
Filed By: G. Michael Halfenger  
Submit Date: 2-22-2010

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OCCD SC 02-17-2010 Motion for Miscellaneous Relief

Filed By: Dean Strang  
Submit Date: 2-17-2010  
Decision: (D) Deny  
Decision Date: 2-25-2010  
ORD that the motion is denied.  
Motion Response  
Filed By: 10264 (O'Brien, Daniel)  
Submit Date: 2-18-2010

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OCCD SC 02-12-2010 Brief of Amicus Curiae  
[Brief of Amicus Curiae - ACLU, et al.](#)

Filed By: Amelia Bizzaro

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OCCD SC 02-09-2010 Attorney Change

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OCCD SC 02-09-2010 Motion to File Amicus/Non-Party Brief

Filed By: Amelia Bizzaro  
Submit Date: 2-9-2010  
Decision: (O) Other  
Decision Date: 2-12-2010  
ORD that the portion of the motion for leave to file non-party brief amicus curiae is granted and the brief is accepted for filing.  
FRO that plaintiff-respondent may file a response to the non-party brief amicus curiae on or before February 24, 2010.  
FRO that the portion of the motion for time at oral argument is denied. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. The movants are directed to ask the parties if they would be willing to cede any oral argument time to the movants. The movants are further directed to inform the court by February 19, 2010, whether the parties are or are not willing to cede any argument time.  
Abrahamson, C.J., concurring in part and dissenting in part, noting that the Chief Justice would grant the movants 10 minutes of oral argument time if no party cedes the time.  
Motion Response  
Filed By: 10264 (O'Brien, Daniel)  
Submit Date: 2-12-2010

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| OCCD SC | 02-05-2010   | Certificate of Service   |
| OCCD SC | 02-05-2010   | Reply Brief-Supreme Court<br><a href="#">Reply Brief-Supreme Court</a>       |
|         | Filed By: Dean Strang  |  |
| OCCD SC | 02-01-2010   | Briefs Received At State Law Library   |
| OCCD SC | 01-26-2010   | Response Brief-Supreme Court<br><a href="#">Response Brief-Supreme Court</a> |
|         | Filed By: 10264 (O'Brien, Daniel)  |  |
| OCCD SC | 01-22-2010   | Court Order  |
|         | ORD that the motion to Justice Michael J. Gableman individually is hereby denied.  |  |
| OCCD SC | 01-14-2010   | Motion to Extend Time  |
|         | Filed By: 10264 (O'Brien, Daniel)  |  |
|         | Submit Date: 1-21-2010   |  |
|         | Decision: (G) Grant  |  |
|         | Decision Date: 1-22-2010   |  |
|         | ORD that the motion is granted. Plaintiff-respondent's response brief shall be served and filed on or before January 26, 2010. |  |
|         | See BR2 event due on 1-26-2010   |  |
| OCCD SC | 12-30-2009   | Response   |
| OCCD SC | 12-28-2009   | First Brief-Supreme Court<br><a href="#">First Brief-Supreme Court</a>       |
|         | Filed By: Dean Strang  |  |
| OCCD SC | 12-21-2009   | Motion for Miscellaneous Relief  |
|         | Filed By: Dean Strang  |  |
|         | Submit Date: 12-21-2009  |  |
|         | Decision: (O) Other  |  |
|         | Decision Date: 6-7-2010  |  |
|         | ORD that because no four justices have agreed to grant the motion on any ground, the motion is not granted.                    |  |
|         | Gableman, J., did not participate.   |  |
|         | Motion Response  |  |
|         | Filed By: 10264 (O'Brien, Daniel)  |  |
|         | Submit Date: 1-5-2010  |  |
|         | Motion Response  |  |
|         | Filed By: Dean Strang  |  |
|         | Submit Date: 1-8-2010  |  |
| OCCD SC | 12-07-2009   | Assigned-Oral Argument   |
| OCCD SC | 10-14-2009   | Caption Amended  |

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|---------|---|-------------------------------------|
| OCCD SC | 10-14-2009  | Attorney Change                     |
| OCCD SC | 10-13-2009  | Court Changed to Supreme Court      |
| OCCD CA | 07-14-2009  | Final Publication                   |
| OCCD CA | 06-30-2009<br>319 Wis. 2d 498   | Cites                               |
| OCCD CA | 06-30-2009<br>769 N.W.2d 53   | Cites                               |
| OCCD CA | 06-30-2009  | Opinion Ordered Published           |
| OCCD CA | 06-30-2009<br>Comment: PDC No: 2009 WI App 81   | Public Domain Citation              |
| OCCD SC | 05-28-2009<br>Filed By: Michael Sveum<br>Submit Date: 5-29-2009<br>Decision: (G) Grant<br>Decision Date: 5-29-2009<br>ORD FWA-IND   | Indig. Forms/Motion filed by pro se |
| OCCD SC | 05-28-2009<br>Filed By: Michael Sveum<br>Submit Date: 6-10-2009<br>Decision: (G) Grant<br>Decision Date: 10-13-2009<br>ORD that the petition for review is granted and that pursuant to Wis. Stat. Rule 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and<br>FRO that within 75 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and<br>FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and<br>FRO that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and<br>FRO that within 30 days after the date of this order, each party must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals;<br>FRO that Attorney Dean A. Strang shall serve as counsel for defendant-appellant-petitioner, Michael A. Sveum. Attorney Strang's representation shall be on a pro bono basis and not subject to compensation under SCR ch. 81. The court notes that Michael A. Sveum has given his consent to be represented by Attorney Strang; and | Petition for Review                 |

FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

Motion Response

Filed By: 10264 (O'Brien, Daniel)

Submit Date: 6-10-2009

Motion Response

Filed By: Michael Sveum

Submit Date: 6-17-2009

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OCCD CA 05-18-2009 Motion for Reconsideration

Filed By: Michael Sveum

Submit Date: 5-19-2009

Decision: (D) Deny

Decision Date: 6-3-2009

ORD that the motion for reconsideration is denied.

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OCCD CA 05-07-2009 [Opinion/Decision](#)

Judge Panel: Lundsten, Bridge, Dykman

Opinion: Opinion

Decision: Affirmed Pages: 26

Written by: Lundsten, Paul

Order Text: Judgment and order affirmed.

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OCCD CA 02-09-2009 Additional Authorities

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OCCD CA 11-12-2008 Submitted on Briefs

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OCCD CA 09-17-2008 Briefs Received At State Law Library

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OCCD CA 09-02-2008 Record and Briefs Sent to District 4

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OCCD CA 08-29-2008 [Reply Brief](#)  
[Reply Brief](#)

Filed By: Michael Sveum

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OCCD CA 08-12-2008 Motion to Extend Time

Filed By: Michael Sveum

Submit Date: 8-14-2008

Decision: (G) Grant

Decision Date: 8-15-2008

ORD that the time for the appellant to file a reply brief is extended to September 5, 2008.

See BRY event due on 9-5-2008

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OCCD CA 07-28-2008 [Brief of Respondent\(s\)](#)  
[Brief of Respondent\(s\)](#)

Filed By: 10264 (O'Brien, Daniel)

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OCCD CA 05-23-2008 Motion to Extend Time

Filed By: 10264 (O'Brien, Daniel)

Submit Date: 5-27-2008

Decision: (G) Grant

Decision Date: 5-30-2008

ORD that the time for the respondent to file a respondent's brief is extended to July 28, 2008.

FRO that the motion to extend the word limit is denied.

See BRS event due on 7-28-2008

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| OCCD CA  | 05-02-2008 | Attorney Change   |
| OCCD CA  | 04-28-2008 | Brief & Appx of Appellant(s)<br><a href="#">Brief of Appellant(s)</a> |
| Filed By: Michael Sveum  |            |   |
| OCCD CA  | 04-18-2008 | Record  |
| OCCD CA  | 03-17-2008 | RAP and Guide Sent  |
| OCCD CA  | 03-14-2008 | Notif. Sent-Filing of NAP & Ct. Record                                |
| OCCD CA  | 03-14-2008 | Notice of Appeal & Circuit Court Docket Entries                       |
| OCCD CA  | 03-14-2008 | X Transfer  |
| OCCD CA  | 03-10-2008 | Indig. Forms/Motion filed by pro se                                   |
| Filed By: Michael Sveum<br>Submit Date: 3-17-2008<br>Decision: (G) Grant<br>Decision Date: 3-17-2008<br>ORD FWA-Indigent   |            |   |
| OCCD CA  | 03-10-2008 | Statement on Transcript   |
| Filed By: Michael<br>Status Sveum: Prev. Filed   |            |   |
| OCCD CA  | 03-10-2008 | Notice of Appeal filed in Cir. Ct.                                    |
| OCCD CA  | 02-20-2008 | Order of Circuit Court  |
| OCCD CA  | 07-02-2007 | Miscellaneous Motion on XX-Case                                       |
| Filed By: Michael Sveum<br>Submit Date: 7-3-2007<br>Decision: (G) Grant<br>Decision Date: 7-6-2007<br>ORD that the time to serve the transcript and copy of the case record is extended to 60 days from the circuit court's determination on defendant's request to receive these items without cost to him. |            |   |

