

Wisconsin Supreme Court and Court of Appeals Case Access

William C. McConkey v. J. B. Van Hollen

Appeal Number 2008AP001868

Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|----------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OCCD | SC | 08-09-2010 | | Remittitur |
| OCCD | SC | 06-30-2010 | | Cites |
| | | 326 Wis. 2d 1 | | |
| OCCD | SC | 06-30-2010 | | Cites |
| | | 783 N.W.2d 855 | | |
| OCCD | SC | 06-30-2010 | | Opinion/Decision Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Affirmed Pages: 31 Written by: Gableman, Michael J. Order Text: The judgment and order of the circuit court are affirmed. |
| OCCD | SC | 06-29-2010 | | Public Domain Citation Comment: PDC No: 2010 WI 57 |
| OCCD | SC | 11-03-2009 | | Oral Argument |
| OCCD | SC | 11-02-2009 | | Briefs Received At State Law Library |
| OCCD | SC | 10-29-2009 | | Brief of Amicus Curiae Brief of Amicus Curiae - Community Leaders Filed By: Michael Dean |
| OCCD | SC | 10-22-2009 | | Motion to File Amicus/Non-Party Brief Filed By: Michael Dean Submit Date: 10-26-2009 Decision: (G) Grant Decision Date: 10-29-2009 ORD that the motion is granted, and the non-party brief is accepted for filing. |

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| OCCD | SC | 10-06-2009 | Briefs Received At State Law Library |
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| OCCD | SC | 10-01-2009 | Certificate of Filing by Mail |
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| OCCD | SC | 09-30-2009 | Brief of Amicus Curiae Brief of Amicus Curiae - League of Women Voters of Wisconsin Education Fund |
| | | Filed By: Sara Dill | |

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| OCCD | SC | 09-15-2009 | Briefs Received At State Law Library |
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| OCCD | SC | 09-11-2009 | Motion to File Amicus/Non-Party Brief |
| | | Filed By: (O'Neill, Matthew) | |
| | | Submit Date: 9-14-2009 | |
| | | Decision: (G) Grant | |
| | | Decision Date: 9-16-2009 | |
| | | ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before September 30, 2009. | |

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| OCCD | SC | 09-11-2009 | Attorney Change |
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| OCCD | SC | 09-11-2009 | Other Brief-Supreme Court |
| | | Filed By: Raymond Taffora | |

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| OCCD | SC | 09-09-2009 | Brief of Amicus Curiae Brief of Amicus Curiae - Lambda Legal Defense and Education Fund, Inc., et al. |
| | | Filed By: Katherine Smith | |

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| OCCD | SC | 09-09-2009 | Brief of Amicus Curiae Brief of Amicus Curiae - Wisconsin Family Council |
| | | Filed By: Samuel Taylor | |

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| OCCD | SC | 09-01-2009 | Briefs Received At State Law Library |
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| OCCD | SC | 08-28-2009 | Reply Brief-Supreme Court Combined Reply Brief-Supreme Court - Plaintiff-Appellant-Cross-Respondent William C. McConkey |
| | | Filed By: Tamara Packard | |

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| OCCD | SC | 08-27-2009 | Motion to File Amicus/Non-Party Brief |
| | | Filed By: William Conley | |

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice is attached to the moving party's order.

OCCD SC 08-27-2009 Motion for Pro Hac Vice status

Filed By: Samuel Taylor

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice is attached to the moving party's order.

OCCD SC 08-27-2009 Motion to File Amicus/Non-Party Brief

Filed By: Samuel Taylor

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice is attached to the moving party's order.

OCCD SC 08-25-2009 Briefs Received At State Law Library

OCCD SC 08-24-2009 Response

OCCD SC 08-18-2009 Assigned-Oral Argument

OCCD SC 08-13-2009 Response Brief-Supreme Court
[Response Brief - Supreme Court \(Combined Brief of Defendant-Respondent-Cross Appellant\)](#)

Filed By: Lewis Beilin

OCCD SC 07-08-2009 First Brief-Supreme Court
[First Brief-Supreme Court](#)

Filed By: Tamara Packard

OCCD SC 05-22-2009 Motion for Miscellaneous Relief

Filed By: Lester Pines
Submit Date: 5-26-2009
Decision: (O) Other
Decision Date: 5-27-2009

ORD that the motion is granted in part. The briefing schedule to be followed in this case shall be modified as follows: (1) Plaintiff-appellant-cross-respondent shall serve and file his opening brief or a statement that no brief will be filed on or before July 8, 2009. (2) Defendant-respondent-cross-appellant shall serve and file his combined response brief on the appeal and opening brief on the cross-appeal or a statement that no brief will be filed on or before August 13, 2009; (3)

Plaintiff-appellant-cross-respondent shall serve and file his combined reply brief on the appeal and response brief on the cross-appeal or a statement that no brief will be filed on or before August 28, 2009; (4) Defendant-respondent-cross-appellant shall serve and file his reply brief on the cross-appeal or a statement that no brief will be filed on or before September 12, 2009.

FRO that all other provisions of the court's order of May 12, 2009, except for the provision regarding the timing of briefs in this court, shall remain in effect.

OCCD SC 05-12-2009 Court Changed to Supreme Court

OCCD CA 05-12-2009 Hold Status

OCCD SC 04-10-2009 Letter/Correspondence

OCCD SC 04-09-2009 Certification Filed

Filed By: Unassigned District 4
Submit Date: 4-9-2009
Decision: (G) Grant
Decision Date: 5-12-2009

ORD the certification is granted and the appeal is accepted for consideration of all issues raised before the court of appeals. When this court grants direct review upon certification, it acquires jurisdiction of the case, Wis. Const. art. VII, secs. 3(3), that is, the entire appeal, which includes all issues, not merely the issues certified or the issue for which the court accepts the certification. Further, the court has jurisdiction over issues not certified because the court may review an issue directly on its own motion.

FRO that within 30 days after the date of this order the appellant must file either a brief in this court or a statement that no brief will be filed; that within 20 days of filing, the respondent must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent, within 10 days of filing, the appellant must file either a reply brief or a statement that no reply brief will be filed; and

FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief; instead, any material upon which there is reliance should be restated in the brief filed in this court; and

FRO that in the event any party elects not to file a brief in this court, the briefs previously submitted by that party to the court of appeals shall stand as that party's brief in the Supreme Court; and

FRO that within the time period established for the filing of briefs, each party must provide the clerk of this court with copies of the briefs previously filed on behalf of that party in the court of appeals. If a party elects to file a new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a party elects to stand on their court of appeals brief(s), 17 copies of each of their court of appeals brief(s) must be provided.

FRO that the parties shall be notified of the date and time for oral argument in this appeal in due course. See DEC event filed on 4-9-2009

OCCD CA 04-09-2009 [Opinion/Decision](#)

Judge Panel: Dykman, Higginbotham, Lundsten

Opinion: Certification

Decision: Certification Filed Pages: 7

Order Text: Whether Article XIII, Section 13 of the Wisconsin Constitution, commonly known as the marriage amendment, was enacted in violation of the single-subject rule set forth in Article XII, Section 1 of the Wisconsin Constitution; whether a voter who would have voted the same way on each of two propositions included in a single-ballot referendum can claim to have personally suffered a direct injury by an alleged violation of the single-subject rule.

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| OCCD | CA | 03-06-2009 | Submitted on Briefs |
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| OCCD | CA | 02-16-2009 | Briefs Received At State Law Library |
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| OCCD | CA | 01-28-2009 | Record and Briefs Sent to District 4 |
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| OCCD | CA | 01-27-2009 | Cross-Reply Brief Cross-Reply Brief |
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Filed By: Lewis Beilin

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| OCCD | CA | 01-12-2009 | Reply and Cross-Respondent's Brief Reply and Cross-Respondent's Brief |
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Filed By: Lester Pines

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| OCCD | CA | 12-29-2008 | Brief of Amicus Curiae Brief of Amicus Curiae |
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Filed By: Amy Salberg

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| OCCD | CA | 12-22-2008 | Motion to File Amicus/Non-Party Brief |
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Filed By: Amy Salberg

Submit Date: 12-23-2008

Decision: (G) Grant

Decision Date: 12-29-2008

ORD that the Wisconsin Family Council may file a nonparty brief.

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| OCCD | CA | 12-12-2008 | Brief of Respondent and Cross-Appellant Brief of Respondent and Cross-Appellant |
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Filed By: Lewis Beilin

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| OCCD | CA | 11-12-2008 | Brief & Appx of Appellant(s) Brief of Appellant(s) |
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Filed By: Lester Pines

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| OCCD | CA | 10-09-2008 | Motion to Extend Time |
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Filed By: Lester Pines

Submit Date: 10-9-2008

Decision: (G) Grant

Decision Date: 10-15-2008

ORD that the deadline to file the appellant-cross-respondent's brief is extended until November 17,

2008.

See BAP event due on 11-17-2008

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| OCCD CA | 09-10-2008 | Record |
| OCCD CA | 09-08-2008 | Attorney Change |
| OCCD CA | 08-19-2008 Filed By: Thomas Balistreri Status: Prev. Filed | Statement on Transcript |
| OCCD CA | 08-11-2008 | Notif Sent-Filing of Cross Appeal/Ct Rec |
| OCCD CA | 08-11-2008 | Notice of Cross Appeal & Court Record |
| OCCD CA | 08-11-2008 Court Reporter Name: (Pelletter, Sarah) | Court Reporter's Statement-Trans. |
| OCCD CA | 08-07-2008 | Cross Appeal Filed In Circuit Court |
| OCCD CA | 08-07-2008 Filed By: Lester Pines Status: Ordered | Statement on Transcript |
| OCCD CA | 08-06-2008 | Transcript filed in Circuit Court |
| OCCD CA | 08-06-2008 | Docketing Statement from Cross-Appellant |
| OCCD CA | 08-06-2008 | Case to proceed under RAP |
| OCCD CA | 07-30-2008 | Docketing Statement Submitted |
| OCCD CA | 07-30-2008 | Fee Paid |
| OCCD CA | 07-29-2008 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 07-29-2008 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 07-24-2008 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 07-24-2008 | Docketing Statement from Appellant |
| OCCD CA | 06-09-2008 | Order of Circuit Court |

OCCD CA 12-21-2007

Order of Circuit Court
