

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Patrick J. Lynch**

**Appeal Number 2011AP002680 - CR**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-17-2016		Remittitur
OCCD	SC	07-13-2016		Cites
		885 N.W.2d 89		
OCCD	SC	07-13-2016		Cites
		371 Wis. 2d 1		
OCCD	SC	07-13-2016		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Abrahamson, Bradley, Prosser, Ziegler, Gableman, Bradley Opinion: Opinion Decision: Other Pages: 57 Written by: Gableman, Michael J. Abrahamson, Shirley S. Wrote Concur/Dissent Opinion 24 pages. Ziegler, Annette K. Wrote Dissenting Opinion 35 pages. Bradley, Ann Walsh Wrote Concur/Dissent Opinion 24 pages. Prosser, David T. Jr. Wrote Dissenting Opinion 15 pages. Roggensack, Patience Drake Wrote Concurring Opinion 2 pages. Order Text: As result of a divided court, the law remains as the court of appeals has articulated it.		
OCCD	SC	07-11-2016		Public Domain Citation
		Comment: PDC No: 2016 WI 66		
OCCD	SC	12-03-2015		Briefs Received At State Law Library
OCCD	SC	10-16-2015		Sua Sponte
		Filed By: Unassigned District 4 Submit Date: 10-16-2015 Decision: (N) No Action Decision Date: 10-16-2015 no action. Comment: Letter from AAG		
OCCD	SC	10-12-2015		Oral Argument

Comment: 9:45 a.m., 2nd case (rescheduled from 9/22/15) (rescheduled from 1:30 to 9:45). Atty Marguerite M. Moeller for Pla-App-Pet; Atty Robert Henak for Def-Res.

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OCCD	SC	10-05-2015	Letter/Correspondence
Comment: Cover memo (to Oct. oral argument calendar) from Clerk's Office to counsel noting time change from 1:30 to 9:45, 2nd case.			

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OCCD	SC	09-04-2015	Response
Comment: add'l 10 copies of brief previously filed on behalf of each party in ct. app.			

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OCCD	SC	09-03-2015	Reply Brief-Supreme Court <a href="#">Reply Brief-Supreme Court</a>
Filed By: Marguerite Moeller			

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OCCD	SC	08-28-2015	Briefs Received At State Law Library
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OCCD	SC	08-21-2015	Certificate of Filing by Mail
Comment: BR2			

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OCCD	SC	08-19-2015	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>
Filed By: Robert Henak			

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OCCD	SC	08-18-2015	Attorney Change
Comment: Notice of Appearance on behalf of Patrick Lynch; add Henak Law Office in addition to Atty. Van Wagner.			

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OCCD	SC	07-08-2015	Assigned-Oral Argument
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OCCD	SC	06-19-2015	Briefs Received At State Law Library
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OCCD	SC	06-19-2015	Motion to Extend Time
Filed By: Christopher Van Wagner			
Submit Date: 6-22-2015			
Decision: (G) Grant			
Decision Date: 6-22-2015			
ORD that the motion is granted. Defendant-respondent's response brief shall be served and filed on or before August 19, 2015. No further time extensions will be granted.			
See BR2 event due on 8-19-2015			

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OCCD	SC	05-21-2015	Motion to Extend Time
Filed By: Christopher Van Wagner			
Submit Date: 5-22-2015			
Decision: (G) Grant			
Decision Date: 5-22-2015			
ORD that the motion is granted. Defendant-respondent's response brief shall be served and filed on or			

before June 19, 2015. No further time extensions will be granted.  
See BR2 event due on 6-19-2015

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OCCD SC 04-30-2015 First Brief-Supreme Court  
[First Brief-Supreme Court](#)

Filed By: Marguerite Moeller  
Comment: Appx to First Brief-Supreme Court

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OCCD SC 04-13-2015 Motion to Extend Time

Filed By: Marguerite Moeller  
Submit Date: 4-14-2015  
Decision: (G) Grant  
Decision Date: 4-15-2015  
ORD that the motion is granted. Plaintiff-appellant-petitioner's first brief shall be served and filed on or before April 30, 2015. No further extensions of time will be granted to this party.  
See BR1 event due on 4-30-2015

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OCCD SC 03-17-2015 Caption Amended

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OCCD SC 03-16-2015 Court Changed to Supreme Court

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OCCD CA 02-09-2015 Final Publication

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OCCD CA 01-28-2015 Cites  
359 Wis. 2d 482

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OCCD CA 01-28-2015 Cites  
859 N.W.2d 125

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OCCD CA 01-28-2015 Opinion Ordered Published

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OCCD CA 01-28-2015 Public Domain Citation  
Comment: PDC No: 2015 WI App 2

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OCCD SC 12-08-2014 Fee Waived  
Comment: State

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OCCD SC 12-08-2014 Petition for Review

Filed By: Marguerite Moeller  
Submit Date: 1-5-2015  
Decision: (G) Grant  
Decision Date: 3-16-2015  
ORD that the petition for review is granted. Briefs/Statements 30/20/10.  
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.

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OCCD CA	12-08-2014	Attorney Change
Comment: Notice of Appearance of Additional Counsel; add Atty. Van Wagner for defendant-appellant Patrick Lynch.		
OCCD CA	11-06-2014	<a href="#">Opinion/Decision</a>
Judge Panel: Blanchard, Lundsten, Higginbotham		
Opinion: Opinion		
Decision: Affirmed Pages: 24		
Written by: Lundsten, Paul		
Order Text: Order affirmed and cause remanded for further proceedings.		
OCCD CA	09-16-2014	Submitted on Briefs
OCCD CA	07-07-2014	Briefs Received At State Law Library
OCCD CA	07-07-2014	Hold Status
OCCD CA	06-18-2014	Record and Briefs Sent to District 4
OCCD CA	06-13-2014	Reply Brief <a href="#">Reply Brief</a>
Filed By: Marguerite Moeller		
Comment: Please note that the brief certification pursuant to Rule 809.19(8)(b) and (c) has been corrected on this brief. Please refer to rule 809.19 regarding the brief certification. Appx to Reply Brief		
OCCD CA	05-28-2014	Motion to Extend Time
Filed By: Marguerite Moeller		
Submit Date: 5-28-2014		
Decision: (G) Grant		
Decision Date: 5-30-2014		
ORD that the time for the State to file its reply brief is extended to June 13, 2014.		
See BRY event due on 6-13-2014		
OCCD CA	04-07-2014	Motion to Extend Time
Filed By: Marguerite Moeller		
Submit Date: 4-8-2014		
Decision: (G) Grant		
Decision Date: 4-9-2014		
ORD that the time to file the reply brief is extended to May 30, 2014.		
See BRY event due on 5-30-2014		
OCCD CA	04-02-2014	Response
Comment: 4/2/14 attorney Priester response to CTO 8/8/13 (will not file replacement brief)		
OCCD CA	07-31-2013	Sua Sponte
Filed By: Unassigned District 4		
Submit Date: 7-31-2013		

Decision: (O) Other

Decision Date: 8-8-2013

ORD that Lynch shall advise this court within 10 days after the reconsideration motion has been decided whether he intends to file a replacement brief or stand upon his original brief. Any replacement brief would be due 21 days after the order denying reconsideration. The State's reply brief would be due fourteen days after Lynch files a letter or replacement brief.

Comment: CTO 5/24/12

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OCCD CA 08-29-2012

Attorney Change

Comment: Notice of Appearance for State of Wisconsin; delete AAG Rapp St. John; add AAG Moeller

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OCCD CA 05-18-2012

Motion for Stay

Filed By: Gregory Weber

Submit Date: 5-21-2012

Decision: (G) Grant

Decision Date: 5-24-2012

ORD that the appeal shall be placed on hold until the Wisconsin Supreme Court either denies the pending petition for review in Johnson or, having granted review, issues a decision in that case.

FRO that, if the Wisconsin Supreme Court declines review in Johnson or otherwise disposes of Johnson without a decision on the merits, the State's reply brief in this appeal shall be due fourteen days after such action disposing of the matter.

FRO that, if the Wisconsin Supreme Court issues a decision on the merits in Johnson, then respondent Patrick Lynch shall have the option of either filing a replacement brief within 21 days of the Supreme Court's decision or filing a letter with this court within 10 days stating that Lynch opts not to file a replacement brief.

FRO that, if the Wisconsin Supreme Court issues a decision on the merits in Johnson, the State shall have fourteen days from the date Lynch either files a replacement brief, or Lynch files a letter, to file the State's reply brief.

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OCCD CA 05-02-2012

Brief of Respondent(s)

[Brief of Respondent\(s\)](#)

Filed By: Jack Priester

Comment: received 10 additional copies BRS for SC use.

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OCCD CA 04-19-2012

Additional Authorities

Comment: filed by AAG Rapp St. John

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OCCD CA 03-29-2012

Motion to Extend Time

Filed By: Jack Priester

Submit Date: 3-29-2012

Decision: (G) Grant

Decision Date: 3-30-2012

ORD that the time to file the respondent's brief is extended to May 2, 2012.

See BRS event due on 5-2-2012

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OCCD CA 03-02-2012

Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: 34776 (St. John, Rebecca)

Comment: Replacement per CTO 3/2/12: Received 10 copies of BAP for SC use. PS 4-9-15 Appx to

## Brief of Appellant(s)

OCCD CA	02-28-2012	Motion for Miscellaneous Relief
Filed By: 34776 (St. John, Rebecca) Submit Date: 2-28-2012 Decision: (G) Grant Decision Date: 3-2-2012 ORD that the motion is granted, and we accept the replacement brief for filing. We hereby extend, on our own motion, the time to file the appellant's brief to the date of this order, such that the replacement brief shall be deemed timely filed. FRO that the time to file the respondent's brief is hereby extended to thirty days from the date of this order.		
OCCD CA	02-23-2012	Brief & Appx of Appellant(s)
Filed By: 34776 (St. John, Rebecca)		
OCCD CA	01-19-2012	Motion to Extend Time
Filed By: 34776 (St. John, Rebecca) Submit Date: 1-20-2012 Decision: (G) Grant Decision Date: 1-25-2012 ORD that the time to file the appellant's brief is extended to February 23, 2012. See BAP event due on 2-23-2012		
OCCD CA	12-15-2011	Sealed Documents
Comment: SLD DOCS# 6, 67, 68, 69, 70, 94		
OCCD CA	12-15-2011	Record
Comment: 1-8 TO 116-1		
OCCD CA	11-21-2011	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	11-21-2011	Fee Waived
Comment: State appeal		
OCCD CA	11-21-2011	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	11-10-2011	Statement on Transcript
Filed By: 34776 (St. John, Rebecca) Status: Prev. Filed		
OCCD CA	11-10-2011	Notice of Appeal filed in Cir. Ct.
OCCD CA	11-08-2011	Order of Circuit Court