

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Corey R. Kucharski

Appeal Number 2013AP000557 - CR

Court of Appeals District 1

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|--|----------------------|----------------------------------|
| OCCD | CA | 06-15-2016 | | Remittitur |
| OCCD | CA | 04-27-2016 369 Wis. 2d 71 | | Cites |
| OCCD | CA | 04-27-2016 879 N.W.2d 808 | | Cites |
| OCCD | CA | 04-27-2016 | | Opinion Ordered Unpublished |
| OCCD | CA | 04-05-2016 Comment: Letter response to PRE filed by State. | | Letter/Correspondence |
| OCCD | CA | 03-31-2016 Comment: SPT appointed | | Fee Waived |
| OCCD | SC | 03-31-2016 Filed By: Matthew Pinix Submit Date: 4-6-2016 Decision: (D) Deny Decision Date: 6-15-2016 IT IS ORDERED that the petition for review is denied, without costs. | | Petition for Review |
| OCCD | CA | 03-01-2016 Judge Panel: Brennan, Kessler, Curley Opinion: Opinion Decision: Affirmed Pages: 20 Written by: Brennan, Kitty K. Order Text: Judgment and order affirmed | | Opinion/Decision |
| OCCD | CA | 11-03-2015 | | Submitted on Briefs |

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| OCCD CA | 08-21-2015 | Record |
| Comment: 01-13 to 64-4 | | |
| OCCD CA | 08-21-2015 | Court Order |
| IT IS ORDERED that the August 11, 2015 remittitur to the circuit court is vacated. | | |
| OCCD SC | 07-07-2015 | Cites |
| 363 Wis. 2d 658 | | |
| OCCD SC | 07-07-2015 | Cites |
| 866 N.W.2d 697 | | |
| OCCD SC | 07-07-2015 | Court Changed to Court of Appeals |
| OCCD SC | 07-07-2015 | Opinion/Decision |
| Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman | | |
| Opinion: Opinion | | |
| Decision: Remanded to Court of Appeals Pages: 27 | | |
| Written by: Crooks, N. Patrick | | |
| Abrahamson, Shirley S. Joined Dissenting Opinion | | |
| Bradley, Ann Walsh Wrote Dissenting Opinion 11 pages. | | |
| Order Text: Reversed and Remanded | | |
| OCCD SC | 07-02-2015 | Public Domain Citation |
| Comment: PDC No: 2015 WI 64 | | |
| OCCD SC | 03-10-2015 | Oral Argument |
| Comment: 1st case, 9:45 a.m. Atty Marguerite Moeller for PLA-RES-PET; Atty Matthew Pinix for DEF-APP | | |
| OCCD SC | 03-04-2015 | Briefs Received At State Law Library |
| OCCD SC | 03-02-2015 | Certificate of Service |
| Comment: BAM | | |
| OCCD SC | 03-02-2015 | Certificate of Filing by Mail |
| Comment: BAM (IB) | | |
| OCCD SC | 02-27-2015 | Brief of Amicus Curiae |
| Brief of Amicus Curiae-WI Ass'n of Criminal Defense Lawyers | | |
| Filed By: Melinda Swartz | | |
| Comment: WI. Assn. of Criminal Defense Lawyers | | |

OCCD SC 02-24-2015

Briefs Received At State Law Library

OCCD SC 02-17-2015

Motion to File Amicus/Non-Party Brief

Filed By: Melinda Swartz

Submit Date: 2-17-2015

Decision: (G) Grant

Decision Date: 2-18-2015

IT IS ORDERED the motion is granted. 22 copies of the brief shall be filed on or before 02/27/15.

Comment: WI. Assn. of Criminal Defense Lawyers

OCCD SC 02-17-2015

Reply Brief-Supreme Court

[Reply Brief-Supreme Court](#)

Filed By: Marguerite Moeller

OCCD SC 02-11-2015

Briefs Received At State Law Library

OCCD SC 02-06-2015

Certificate of Filing by Mail

Comment: BR2 (IB)

OCCD SC 02-03-2015

Response Brief-Supreme Court

[Response Brief-Supreme Court](#)

Filed By: Matthew Pinix

OCCD SC 01-22-2015

Briefs Received At State Law Library

OCCD SC 01-14-2015

First Brief-Supreme Court

[First Brief-Supreme Court](#)

Filed By: Marguerite Moeller

Comment: First Brief-Supreme Court

OCCD SC 12-19-2014

Assigned-Oral Argument

OCCD SC 12-15-2014

Other Papers

Comment: Rec'd Status update from SPD, Per court, ok to reset brief due date

OCCD SC 11-25-2014

Received SPD Appointment Order

Comment: Filed by SPD on behalf of M. S. Pinix, Counsel for Def-App

OCCD SC 11-03-2014

Response

Comment: 10 extra copies of CA briefs for SC

OCCD SC 10-31-2014

Motion to Withdraw as Counsel

Filed By: Scott Obernberger

Submit Date: 10-31-2014

Decision: (G) Grant

Decision Date: 11-3-2014

IT IS ORDERED that the motion to withdraw as counsel is granted; IT IS FURTHER ORDERED that the Office of the State Public Defender is ordered to appoint new counsel for Mr. Kucharski in this case and to give this court an update on the status of newly-appointed counsel on or before December 17, 2014; IT IS FURTHER ORDERED that the request for a 60-day extension of time for new counsel to review the case is held in abeyance; IT IS FURTHER ORDERED that all briefing in this matter is held in abeyance pending notification of appointed new counsel. AMENDED 11/04/2014

Comment: due to medical condition

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| OCCD SC | 10-14-2014 | Motion to Extend Time |
| Filed By: Marguerite Moeller Submit Date: 10-14-2014 Decision: (G) Grant Decision Date: 10-21-2014 ORD that the motion is granted in part. Plaintiff-respondent-petitioner's brief shall be served and filed on or before November 7, 2014. No further extensions of time will be granted to this party. See BR1 event due on 11-7-2014 | | |

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| OCCD SC | 09-24-2014 | Caption Amended |
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| OCCD SC | 09-24-2014 | Court Changed to Supreme Court |
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| OCCD CA | 06-25-2014 | Cites |
| 848 N.W.2d 903 | | |

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| OCCD CA | 06-25-2014 | Cites |
| 354 Wis. 2d 622 | | |

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| OCCD CA | 06-25-2014 | Opinion Ordered Unpublished |
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| OCCD SC | 06-05-2014 | Fee Waived |
| Comment: Filed by State | | |

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| OCCD SC | 06-05-2014 | Petition for Review |
| Filed By: Marguerite Moeller Submit Date: 6-24-2014 Decision: (G) Grant Decision Date: 9-24-2014 ORD PRE granted. Briefs/stmts 30/20/10. Motion Response Filed By: Scott Obernberger Submit Date: 6-24-2014 Comment: 06/23/14, Rec'd Response | | |

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| OCCD CA | 05-06-2014 | Opinion/Decision |
| Judge Panel: Brennan, Kessler, Curley Opinion: Opinion Decision: Reversed and remanded Pages: 19 Written by: Curley, Patricia S. | | |

Brennan, Kitty K. Wrote Dissenting Opinion 4 pages.
Order Text: Judgment and order reversed and cause remanded with directions.

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| OCCD CA | 03-04-2014 | Submitted on Briefs |
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| OCCD CA | 12-19-2013 | Briefs Received At State Law Library |
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| OCCD CA | 12-03-2013 | Record and Briefs Sent to District 1 |
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| OCCD CA | 12-02-2013 | Reply Brief Reply Brief |
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Filed By: Scott Obernberger

Comment: Corrected briefs were sent. 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.: Received 10 additional copies of BRY for SC use. PS 10-6-14

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| OCCD CA | 11-12-2013 | Motion to Waive Filing Requirements |
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Filed By: Scott Obernberger
Submit Date: 11-13-2013
Decision: (D) Deny
Decision Date: 11-14-2013
IT IS ORDERED that the motion to exceed the word limit for a reply brief is denied. IT IS FURTHER ORDERED that the deadline for filing a reply brief is extended through December 2, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12).
Comment: to exceed word limits

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| OCCD CA | 10-28-2013 | Motion to Extend Time |
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Filed By: Scott Obernberger
Submit Date: 10-28-2013
Decision: (G) Grant
Decision Date: 10-29-2013
IT IS ORDERED the deadline for Kucharski to file a brief is extended through 11/08/13. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

See BRY event due on 11-8-2013

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| OCCD CA | 10-10-2013 | Brief of Respondent(s) Brief of Respondent |
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Filed By: Marguerite Moeller

Comment: Appx to Brief of Respondent(s): Received 10 copies of BRS for SC use. PS10-17-14

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| OCCD CA | 09-24-2013 | Motion to Extend Time |
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Filed By: Marguerite Moeller
Submit Date: 9-24-2013
Decision: (G) Grant
Decision Date: 9-25-2013
IT IS ORDERED the time for the respondent to file a respondent's brief is extended to 10/10/13. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

See BRS event due on 10-10-2013
Comment: 2nd

OCCD CA 08-22-2013 Motion to Extend Time
Filed By: Marguerite Moeller
Submit Date: 8-22-2013
Decision: (G) Grant
Decision Date: 8-27-2013
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to September 25, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12).
See BRS event due on 9-25-2013

OCCD CA 08-08-2013 Attorney Change
Comment: Withdrew Gregory M. Weber, AAG, added Marguerite M. Moeller, AAG.

OCCD CA 07-23-2013 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Scott Obernberger
Comment: Separate Appendix Appx to Brief of Appellant(s), Received 10 additional copies of BAP for SC use. PS 10-6-14

OCCD CA 07-08-2013 Motion to Extend Time
Filed By: Scott Obernberger
Submit Date: 7-8-2013
Decision: (G) Grant
Decision Date: 7-10-2013
IT IS ORDERED the deadline for Kucharski to file his appellant's brief and appendix is extended to July 23, 2013.
See BAP event due on 7-23-2013

OCCD CA 05-28-2013 Record
Comment: 1-13 to 64-4

OCCD CA 04-25-2013 Delinquent
Comment: New due date of connected REC: 5-10-2013

OCCD CA 03-27-2013 Court Reporter's Statement-Trans.
Court Reporter Name: (Annen, Marilyn)

OCCD CA 03-20-2013 Transcript filed in Circuit Court

OCCD CA 03-20-2013 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 03-11-2013 Statement on Transcript
Filed By: Scott Obernberger
Status: Ordered

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| OCCD CA | 03-11-2013 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 03-11-2013 | X Transfer |
| OCCD CA | 03-05-2013 Comment: for Atty. Scott D. Obernberger | Received SPD Appointment Order |
| OCCD CA | 02-26-2013 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 02-14-2013 | Order of Circuit Court |
| OCCD CA | 02-13-2013 Filed By: Scott Obernberger Submit Date: 2-13-2013 Decision: (G) Grant Decision Date: 2-15-2013 IT IS ORDERED that the deadline for the circuit court to decide Kucharski's postconviction motion is extended through May 1, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12). Comment: 2d | Mot. Extend Time to Decide Postconviction Motion |
| OCCD CA | 11-16-2012 Filed By: Scott Obernberger Submit Date: 11-19-2012 Decision: (G) Grant Decision Date: 11-20-2012 IT IS ORDERED that the deadline for deciding the postconviction motion is extended until February 14, 2013. | Mot. Extend Time to Decide Postconviction Motion |
| OCCD CA | 09-18-2012 Filed By: Scott Obernberger Submit Date: 9-18-2012 Decision: (G) Grant Decision Date: 9-20-2012 IT IS ORDERED that the deadline for Kucharski to file a postconviction motion or a notice of appeal is extended through November 2, 2012. See Wis. Stat. Rule 809.82(2)(a) (2009-10). Comment: 2d | Mot. Extend Time to file NAP/PCM |
| OCCD CA | 07-30-2012 Filed By: Scott Obernberger Submit Date: 7-31-2012 Decision: (G) Grant Decision Date: 8-1-2012 IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to September 18, 2012. See Wis. Stat. Rule 809.82(2)(a) (2009-10). | Mot. Extend Time to file NAP/PCM |
| OCCD CA | 12-16-2011 | Judgment of Circuit Court |