

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Brett W. Dumstrey

Appeal Number 2013AP000857 - CR

Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|--|
| OCCD | SC | 10-13-2016 | | Letter/Correspondence Comment: from U.S. Supreme Court advising writ of cert denied 10/3/16 |
| OCCD | SC | 04-21-2016 | | Letter/Correspondence Comment: from U.S. Supreme Court advising writ of cert filed 4/14/16; No. 15-1289 |
| OCCD | SC | 02-16-2016 | | Remittitur |
| OCCD | SC | 01-15-2016 | | Cites 366 Wis. 2d 64 |
| OCCD | SC | 01-15-2016 | | Cites 873 N.W.2d 502 |
| OCCD | SC | 01-15-2016 | | Opinion/Decision Judge Panel: Roggensack, Abrahamson, Bradley, Prosser, Ziegler, Gableman, Bradley Opinion: Opinion Decision: Affirmed Pages: 26 Written by: Roggensack, Patience Drake Abrahamson, Shirley S. Joined Dissenting Opinion Bradley, Ann Walsh Wrote Dissenting Opinion 19 pages. Prosser, David T. Jr. Wrote Concurring Opinion 7 pages. Gableman, Michael J. Joined Concurring Opinion Bradley, Rebecca G. Took No Part Order Text: The decision of the court of appeals is affirmed. |
| OCCD | SC | 01-14-2016 | | Public Domain Citation Comment: PDC No: 2016 WI 3 |
| OCCD | SC | 09-08-2015 | | Oral Argument Comment: at 1:30 p.m. (rescheduled from 9/17/15): Atty Anthony Cotton for Def-App-Pet, Atty David Perlman for Pla-Res |

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| OCCD SC | 07-08-2015 | Assigned-Oral Argument |
| OCCD SC | 06-19-2015 | Briefs Received At State Law Library |
| OCCD SC | 05-21-2015 Comment: BR3 | Certificate of Filing by Mail |
| OCCD SC | 05-20-2015 Filed By: Anthony Cotton | Reply Brief-Supreme Court Reply Brief-Supreme Court |
| OCCD SC | 05-05-2015 Filed By: David Perlman | Response Brief-Supreme Court Response Brief-Supreme Court |
| OCCD SC | 04-17-2015 Comment: 10/17 copies of CA brief for SC use received | Response |
| OCCD SC | 04-15-2015 Filed By: Anthony Cotton Comment: Appx to First Brief-Supreme Court | First Brief-Supreme Court First Brief-Supreme Court |
| OCCD SC | 03-16-2015 | Caption Amended |
| OCCD SC | 03-16-2015 | Court Changed to Supreme Court |
| OCCD CA | 02-09-2015 | Final Publication |
| OCCD CA | 01-28-2015 359 Wis. 2d 624 | Cites |
| OCCD CA | 01-28-2015 859 N.W.2d 138 | Cites |
| OCCD CA | 01-28-2015 | Opinion Ordered Published |
| OCCD CA | 01-28-2015 Comment: PDC No: 2015 WI App 5 | Public Domain Citation |
| OCCD SC | 01-22-2015 Comment: Receipt No: 15R 000156 | Fee Paid |

OCCD SC 01-22-2015 Petition for Review

Filed By: Anthony Cotton
Submit Date: 2-2-2015
Decision: (G) Grant
Decision Date: 3-16-2015
ORD petition for review granted. Briefs/statements 30/20/10.
Motion Response
Filed By: David Perlman
Submit Date: 2-2-2015

OCCD CA 12-23-2014 [Opinion/Decision](#)

Judge Panel: Brown, Neubauer, Reilly
Opinion: Opinion
Decision: Affirmed Pages: 14
Written by: Neubauer, Lisa S.
Reilly, Paul F. Wrote Dissenting Opinion 5 pages.
Order Text: Judgment affirmed.

OCCD CA 10-01-2014 Oral Argument

Comment: 9:30 a.m. in Waukesha; David Perlman argued on behalf of Pltf/Resp. State of WI; Anthony Cotton argued on behalf of Deft./App. Brett Dumstrey

OCCD CA 07-22-2014 Assigned-Oral Argument

OCCD CA 07-09-2014 Briefs Received At State Law Library

OCCD CA 06-27-2014 Reply Brief
[Reply Brief to Brief of Attorney General](#)

Filed By: Anthony Cotton

Comment: Reply to Brief of Attorney General: Received 10 copies of BRY for SC use. PS 4-17-15

OCCD CA 06-10-2014 Brief of Respondent(s)
[Brief of Respondent-Attorney General](#)

Filed By: David Perlman

Comment: Brief of Attorney General; Received 10 copies of BRS for C use, PS 3-26-15

OCCD CA 05-20-2014 Motion to Extend Time

Filed By: David Perlman
Submit Date: 5-20-2014
Decision: (G) Grant
Decision Date: 5-22-2014
ORD that the time for the respondent to file its respondent's brief is extended to 6/10/14. See Wis. Stat. Rule 809.82(2)(a).
See BRS event due on 6-10-2014

OCCD CA 04-21-2014 Motion to Extend Time

Filed By: David Perlman

Submit Date: 4-21-2014

Decision: (G) Grant

Decision Date: 4-23-2014

ORD that the time for the respondent to file its brief is extended to 5/21/14. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 5-21-2014

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| OCCD CA | 03-21-2014 | Response |
| Comment: AG response to 3/12/14 court order; Will file brief | | |
| OCCD CA | 03-18-2014 | Attorney Change |
| Comment: AAG David H. Perlman for State per letter notice of appearance | | |
| OCCD CA | 03-12-2014 | Court Order for 3-Judge Panel |
| OCCD CA | 03-12-2014 | Notice of Withdrawal of Submission |
| OCCD CA | 03-12-2014 | Court Order |
| ORD that this case shall be decided by a 3-judge panel. FRO that the attorney general shall notify this court within ten days of the date of this order whether it desires to brief this appeal. If a brief will be submitted, the attorney general shall do so within 40 days from the date of this order. The attorney general's brief, if any, shall comply with the Wis. Stat. Rule 809.19 (3) requirements for a respondent's brief. FRO that the appellant may file a reply to the attorney general's brief within fifteen days of its filing. The appellant's reply shall comply with the Wis. stat. Rule 809.19(4) requirements for a reply brief. FRO that this case is withdrawn from submission pending further notice from the court. See DAC event filed on 12-17-2014 | | |
| OCCD CA | 01-31-2014 | Briefs Received At State Law Library |
| OCCD CA | 01-15-2014 | Submitted on Briefs |
| OCCD CA | 01-14-2014 | Record and Briefs Sent to District 2 |
| OCCD CA | 01-13-2014 | Certificate of Filing by Mail |
| Comment: For BRY. | | |
| OCCD CA | 01-10-2014 | Reply Brief Reply Brief |
| Filed By: Anthony Cotton | | |
| Comment: Received 10 copies of BRY for SC use. PS 4-17-15 | | |
| OCCD CA | 12-26-2013 | Brief of Respondent(s) Brief of Respondent |
| Filed By: Bryan Bayer | | |

OCCD CA 10-24-2013 Motion to Extend Time
Filed By: Bryan Bayer
Submit Date: 10-24-2013
Decision: (G) Grant
Decision Date: 10-28-2013
ORD that the time for the respondent to file its respondent's brief is extended to 12/26/13. See Wis. Stat. Rule 809.82(2)(a).
See BRS event due on 12-26-2013

OCCD CA 10-24-2013 Attorney Change
Comment: ADA Bryan Bayer for State per filing of MXT

OCCD CA 09-24-2013 Certificate of Filing by Mail
Comment: BAP

OCCD CA 09-23-2013 Brief & Appx of Appellant(s)
[Brie of Appellant](#)
Filed By: Anthony Cotton
Comment: Received 10 copies of BAP for SC use. PS 4-17-15 Appx to Brief of Appellant(s)

OCCD CA 07-19-2013 Motion to Extend Time
Filed By: Anthony Cotton
Submit Date: 7-22-2013
Decision: (G) Grant
Decision Date: 7-23-2013
ORD that the time for the appellant to file his appellant's brief is extended to 9/23/13. See Wis. Stat. Rule 809.82(2)(a).
See BAP event due on 9-23-2013

OCCD CA 07-15-2013 Supplement to Record
Comment: 19-20 to 21-1

OCCD CA 07-01-2013 Court Reporter's Statement-Trans.
Court Reporter Name: (Schiek, Lori)

OCCD CA 06-27-2013 Transcript filed in Circuit Court

OCCD CA 06-25-2013 Delinquent
Comment: New due date of connected CRS: 7-2-2013

OCCD CA 06-21-2013 Supplement to Record
Comment: 18

WSCCA Case History

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|---|------------|---|
| OCCD CA | 06-14-2013 | Record |
| Comment: 1-4 to 17-1 | | |
| OCCD CA | 05-30-2013 | Delinquent |
| Comment: New due date of connected REC: 6-14-2013 | | |
| OCCD CA | 04-17-2013 | Statement on Transcript |
| Filed By: Anthony Cotton | | |
| Status: Ordered | | |
| OCCD CA | 04-12-2013 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 04-12-2013 | Fee Paid |
| Comment: Receipt No: 13R 000920 | | |
| OCCD CA | 04-12-2013 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 04-10-2013 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 03-13-2013 | Judgment of Circuit Court |