

# Wisconsin Supreme Court and Court of Appeals Case Access

**Albert D. Moustakis v. State of Wisconsin Department of Justice**

**Appeal Number 2014AP001853**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	06-22-2016		Remittitur
OCCD	SC	05-20-2016		Cites
		880 N.W.2d 142		
OCCD	SC	05-20-2016		Cites
		368 Wis. 2d 677		
OCCD	SC	05-20-2016		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Abrahamson, Bradley, Prosser, Ziegler, Gableman, Bradley Opinion: Opinion Decision: Affirmed Pages: 32 Written by: Abrahamson, Shirley S. Ziegler, Annette K. Joined Concur/Dissent Opinion Gableman, Michael J. Joined Concur/Dissent Opinion Roggensack, Patience Drake Wrote Concur/Dissent Opinion 7 pages. Order Text: The decision of the court of appeals is affirmed, and the cause is remanded to the circuit court for further proceedings consistent with this opinion.		
OCCD	SC	05-18-2016		Public Domain Citation
		Comment: PDC No: 2016 WI 42		
OCCD	SC	02-04-2016		Oral Argument
		Comment: 1st case, 9:45 a.m. (rescheduled from 2nd case). Atty Scott A. Swid for Pla-App-Pet. Atty Brian Keenan for Def-Res		
OCCD	SC	01-19-2016		Letter/Correspondence
		Comment: To counsel notifying of oral argument schedule change from 2nd case to 1st case on Feb. 4th. cjp		
OCCD	SC	01-14-2016		Briefs Received At State Law Library
OCCD	SC	01-11-2016		Certificate of Filing by Mail

Comment: BR3

OCCD SC	01-08-2016	Reply Brief-Supreme Court <a href="#">Reply Brief-Supreme Court</a>
Filed By: Benjamin Krautkramer		
OCCD SC	01-07-2016	Briefs Received At State Law Library
OCCD SC	12-28-2015	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>
Filed By: Brian Keenan		
OCCD SC	12-22-2015	Assigned-Oral Argument
OCCD SC	12-10-2015	Response
Comment: 10 addl copies of CA briefs for SC		
OCCD SC	12-07-2015	Certificate of Filing by Mail
Comment: BR1		
OCCD SC	12-04-2015	First Brief-Supreme Court <a href="#">First Brief-Supreme Court</a>
Filed By: Benjamin Krautkramer Comment: Separate appendix: Please note that the title of this brief has been corrected, Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs.		
OCCD SC	11-05-2015	Caption Amended
OCCD SC	11-05-2015	Court Changed to Supreme Court
OCCD CA	09-16-2015	Final Publication
OCCD SC	08-31-2015	Fee Paid
Comment: Receipt No: 15R 002133		
OCCD SC	08-31-2015	Petition for Review
Filed By: Scott Swid Submit Date: 9-4-2015 Decision: (G) Grant Decision Date: 11-5-2015 IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the plaintiff-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the plaintiff-appellant-petitioner must file a brief in this court; that within 20		

days of filing the defendant-respondent, State of Wisconsin Department of Justice, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the defendant-respondent, within 10 days of filing the plaintiff-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED 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; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED 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

IT IS FURTHER ORDERED 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; and

IT IS FURTHER ORDERED 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: Brian Keenan

Submit Date: 9-4-2015

OCCD CA	08-26-2015	Opinion Ordered Published
OCCD CA	08-26-2015 364 Wis. 2d 740	Cites
OCCD CA	08-26-2015 869 N.W.2d 788	Cites
OCCD CA	08-26-2015 Comment: PDC No: 2015 WI App 63	Public Domain Citation
OCCD CA	07-31-2015 Judge Panel: Hoover, Stark, Hruz Opinion: Opinion Decision: Affirmed and remanded Pages: 13 Written by: Hruz, Thomas M. Order Text: Order affirmed and cause remanded for further proceedings.	<a href="#">Opinion/Decision</a>
OCCD CA	02-24-2015	Submitted on Briefs
OCCD CA	01-19-2015	Briefs Received At State Law Library
OCCD CA	12-30-2014	Record and Briefs Sent to District 3
OCCD CA	12-23-2014 Comment: BRY (IB)	Certificate of Filing by Mail
OCCD CA	12-22-2014	Reply Brief <a href="#">Reply Brief</a>

Filed By: Benjamin Krautkramer

Comment: received 10 copies of BRY for SC use. PS 12-7-2015

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OCCD CA 12-10-2014

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

Filed By: Brian Keenan

Comment: received 10 additional copies of BRS for SC use. EW 12/10/15

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OCCD CA 12-04-2014

Motion for Miscellaneous Relief

Filed By: Henry Schultz  
Submit Date: 12-4-2014  
Decision: (M) Dismiss  
Decision Date: 12-5-2014  
ORD that the motion is dismissed.  
Comment: MXT to file Intervenor's brief

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OCCD CA 11-11-2014

Certificate of Filing by Mail

Comment: BAP (IB)

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OCCD CA 11-10-2014

Brief & Appx of Appellant(s)  
[Brief of Appellant](#)

Filed By: Benjamin Krautkramer

Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs.: received 10 copies of BAP for SC use. PS 12-7-2015

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OCCD CA 09-17-2014

Record

Comment: 1-5 to 65-1

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OCCD CA 09-03-2014

Motion to Dismiss

Filed By: Brian Keenan  
Submit Date: 9-19-2014  
Decision: (D) Deny  
Decision Date: 10-2-2014  
ORD that the motion to dismiss is denied. FRO that, if the order from which this appeal is taken is not appealable as a matter of right, we grant leave to appeal the non-final order.  
Motion Response  
Filed By: Benjamin Krautkramer  
Submit Date: 9-24-2014  
Comment: Motion to Dismiss or, in the Alternative, to Treat the Notice of Appeal as a Petition for Leave to Appeal

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OCCD CA 08-22-2014

Statement on Transcript

Filed By: Scott Swid  
Status: Prev. Filed  
Comment: 8/22/14 CRS filed by S. Beever

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# WSCCA Case History

OCCD CA 08-13-2014 Attorney Change  
 Comment: W/drew AAG Burke, added AAG Keenan as counsel for DOJ per filing of "Notice of Appearance and Substitution of Counsel".

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OCCD CA 08-11-2014 Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 08-11-2014 Docketing Statement Submitted

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OCCD CA 08-11-2014 Fee Paid  
 Comment: Receipt No: 14R 002149

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OCCD CA 08-11-2014 Notice of Appeal & Circuit Court Docket Entries

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OCCD CA 08-11-2014 Docketing Statement from Appellant

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OCCD CA 08-08-2014 Notice of Appeal filed in Cir. Ct.

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OCCD CA 07-21-2014 Order of Circuit Court

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