Wisconsin Supreme Court and Court of Appeals Case Access

Ezequiel Lopez-Quintero v. Michael A. Dittmann

Appeal Number 2018AP000203 - W

Court of Appeals District 2

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	07-29-2022		Remittitur
	Comment: T/J			
OCCD	CA	06-21-2022		Response
	Comment: Response to PRE per cto 6/9/22			
OCCD	SC	06-03-2022		Motion for Miscellaneous Relief
	Filed By: Kara Janson Submit Date: 6-6-2022 Decision: (G) Grant Decision Date: 6-9-2022 IT IS ORDERED that the motion is granted. Respondent's response shall be served and filed on or before June 21, 2022. Comment: MXT to file PRE Response			
OCCD	SC	05-23-2022		Petition for Review
	Filed By: Gregory Wiercioch Submit Date: 1-18-2023 Decision: (D) Deny Decision Date: 1-18-2023 IT IS ORDERED that the petition for writ of habeas corpus is granted, ex parte; IT IS FURTHER ORDERED that the relief requested in the habeas petition, that the petition for review filed in State ex re. Ezequiel Lopez-Quintero, No. 2018AP203-W, be reinstated and deemed timely-filed, is granted. See State ex rel. Nichols v. Litscher, 2001 WI 119, 247 Wis.2d 1013, 635 N.W.2d 292; State ex rel. Schmelzer v. Murphy, 201 Wis. 2d 246, 548 N.W.2d 45 (1996); IT IS FURTHER ORDERED that the petition for review is denied. BRIAN HAGEDORN, J., did not participate. Comment: reinstated and denied by 1/18/23 cto 01-18-2023 Court Order			
OCCD	SC	05-23-2022		Fee Waived
	Comment: PRE from previously remanded matter			
OCCD	SC	05-23-2022		Petition for Review

Reply to State's Response to Petition for Review
Response to Petition for Review
Petition for Review

Filed By: Gregory Wiercioch
Submit Date: 6-22-2022
Decision: (M) Dismiss
Decision Date: 7-22-2022
IT IS ORDERED that the petition for review is dismissed.
Motion Response
Filed By: Kara Janson
Submit Date: 6-22-2022
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 6-30-2022
Comment: 07-22-2022 Court Order

OCCD CA 04-19-2022 Motion for Reconsideration

Filed By: Gregory Wiercioch
Submit Date: 4-20-2022
Decision: (D) Deny
Decision Date: 4-21-2022
IT IS ORDERED that the motion for reconsideration is denied. WIS. STAT. RULE 809.24(2).

OCCD CA 04-01-2022 Opinion/Decision

Judge Panel: Gundrum, Neubauer, Kornblum
Opinion: Memo Opinion
Decision: Supervisory Writ Denied Pages: 6
Order Text: IT IS ORDERED that the petition for a writ of habeas corpus is denied without costs.

OCCD SC 11-11-2021 Invoice Issued

Comment: Invoice No: 18844 VOIDED on 11-11-2021 - entered in error

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OCCD CA 10-01-2021 Response

Comment: response due by petitioner per cto of 6/2/21; new due date per cto of 8/20/21

OCCD CA 08-19-2021 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 8-19-2021
Decision: (G) Grant
Decision Date: 8-20-2021
IT IS ORDERED that the time for the petitioner to file an additional response is extended to October 1, 2021. See WIS. STAT. RULE 809.82(2)(a).
See RSP event due on 10-1-2021
Comment: MXT to file petitioenr's response

OCCD CA 07-01-2021 Motion for Miscellaneous Relief

Filed By: Kara Janson
Submit Date: 7-2-2021
Decision: (G) Grant
Decision Date: 7-8-2021

IT IS ORDERED that the time for the respondent to file an additional response is extended to August 2, 2021. See WIS. STAT. RULE 809.82(2)(a).

OCCD CA 06-02-2021 Court Order

IT IS ORDERED that the respondent shall file an additional response within thirty days after the date of this order.
IT IS FURTHER ORDERED that the petitioner shall file an additional response within thirty days of the respondents filing.
See WHC event filed on 2-1-2018

OCCD CA 05-10-2021 Response

Comment: Receive circuit court findings pursuant to 1/31/20 cto; 4/10/20; 7/6/20 -- received by email 5/10/21 from crcuit court Response- Findings of Fact

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OCCD CA 02-04-2021 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 2-5-2021
Decision: (G) Grant
Decision Date: 2-8-2021
IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than May 10, 2021. See WIS. STAT. RULE 809.82(2)(a).
See RSP event due on 5-10-2021
Comment: 5th Request Motion to Extend Time - Circuit Court Findings (5th)

OCCD CA 11-25-2020 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 11-25-2020
Decision: (G) Grant
Decision Date: 11-27-2020
IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than February 15, 2021. See WIS. STAT. RULE 809.82(2)(a).
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 11-25-2020
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 11-27-2020
See RSP event due on 2-15-2021
Comment: Motion to Extend Time - Circuit Court Proceedings

OCCD CA 09-28-2020 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 9-28-2020
Decision: (G) Grant
Decision Date: 9-30-2020
IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than December 7, 2020. See WIS. STAT. RULE 809.82(2)(a).
See RSP event due on 12-7-2020
Comment: circuit court findings Motion to Extend Time (3rd) Court Order 09/30/20

OCCD CA 07-01-2020 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 7-2-2020
Decision: (G) Grant
Decision Date: 7-6-2020
IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than October 7, 2020. See WIS. STAT. RULE 809.82(2)(a).
See RSP event due on 10-7-2020
Comment: circuit court findings Motion to Extend Time

OCCD CA 04-03-2020 Motion for Miscellaneous Relief

Filed By: Gregory Wiercioch
Submit Date: 4-3-2020
Decision: (G) Grant
Decision Date: 4-10-2020
IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than July 9, 2020. See WIS. STAT. RULE 809.82(2)(a).
Comment: mxt to file facts of finding Motion for Miscellaneous Relief Motion for Miscellaneous Relief

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OCCD CA 01-29-2020 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 1-29-2020
Decision: (G) Grant
Decision Date: 1-31-2020
ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than April 10, 2020.
See RSP event due on 4-10-2020
Comment: Court Order 01/31/20 Motion to Extend Time

OCCD CA 12-16-2019 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 12-17-2019
Decision: (G) Grant
Decision Date: 12-18-2019
ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than March 11, 2020.
See RSP event due on 3-11-2020
Comment: for circuit court findings Court Order 12/18/19 Motion to Extend Time

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OCCD CA 09-06-2019 Motion for Miscellaneous Relief

Filed By: Gregory Wiercioch
Submit Date: 9-6-2019
Decision: (G) Grant
Decision Date: 9-9-2019
ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than February 10, 2020. See Wis. Stat. Rule 809.82(2)(a).
Comment: MXT for circuit court deadline for returning findings Motion for Miscellaneous Relief Court Order 09/09/19

OCCD CA 08-14-2019 Court Order

ORD that this matter is remanded to the circuit court to conduct an evidentiary hearing and enter findings of fact relevant to the defense of laches. The circuit court shall return its findings within sixty days of the date of this order. This court will then either make the ultimate determination as to whether

to issue a writ or order additional responses from the parties based upon the circuit court's findings. FRO that either party may order a transcript of the hearing within five days after the completion of the hearing. In such an event, the court reporter shall have twenty days from the date the transcript is ordered to prepare and file the transcript. The requesting party shall provide a copy of this order to the court reporter.
See WHC event filed on 2-1-2018
Comment: Court Order 08/14/19

OCCD CA 07-08-2019 Motion for Miscellaneous Relief

Filed By: Gregory Wiercioch
Submit Date: 7-8-2019
Decision: (G) Grant
Decision Date: 7-15-2019
ORD that the petitioner may file a reply to the respondent's response to the petition for writ of habeas corpus no later than July 31, 2019.
Comment: MXT to file reply Reply to State's Response to Petition for Writ of Habeas Corpus Court Order 07/15/19 Motion for Miscellaneous Relief

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OCCD CA 06-12-2019 Motion for Miscellaneous Relief

Filed By: Kara Mele
Submit Date: 6-12-2019
Decision: (G) Grant
Decision Date: 6-14-2019
ORD that the time for the respondent to file a response is extended to July 1, 2019. See Wis. Stat. Rule 809.82(2)(a).
Comment: MXT to file response to writ

OCCD CA 06-05-2019 Attorney Change

Comment: Attorney Henak/Wisconsin Association of Criminal Defense Lawyers withdrawn per letter advising Attorney Henak does not represent the association for Court of Appeals proceedings.

OCCD CA 05-30-2019 Sua Sponte

Filed By: Unassigned District 2
Submit Date: 5-30-2019
Decision: (O) Other
Decision Date: 5-31-2019
ORD that the respondent shall file a response to the petition for a writ of habeas corpus within fourteen days after service of this order. Wis. Stat. Rule 809.51(2).
Comment: Court of appeals decision reversed and cause remanded

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OCCD SC 05-29-2019 Cites

387 Wis. 2d 50

OCCD SC 05-29-2019 Cites

928 N.W.2d 480

OCCD SC 05-29-2019 Court Changed to Court of Appeals

OCCD SC 05-29-2019 Remanded from WI Supreme Court

OCCD SC 05-29-2019 Opinion/Decision

Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Bradley, Kelly, Dallet
Opinion: Opinion
Decision: Remanded to Court of Appeals Pages: 28
Written by: Bradley, Rebecca Grassl
Kelly, Daniel Wrote Concurring Opinion 1 pages.
Roggensack, Patience Drake Wrote Dissenting Opinion 15 pages.
Ziegler, Annette K. Joined Dissenting Opinion
Order Text: The decision of the court of appeals is reversed and remanded.
Comment: Opinion/Decision

OCCD SC 05-28-2019 Public Domain Citation

Comment: PDC No: 2019 WI 58

OCCD SC 10-12-2018 Oral Argument

Comment: 2nd case, 9:45 a.m. Attorney Gregory W. Wiercioch for PET, Attorney Kara L. Mele for RES (NOTE: THIS CASE WILL BE ARGUED IN THE MONROE COUNTY JUSTICE CENTER AS PART OF THE COURT'S JUSTICE ON WHEELS PROGRAM)

OCCD SC 10-04-2018 Briefs Received At State Law Library

OCCD SC 09-28-2018 Reply Brief-Supreme Court
Reply Brief-Supreme Court

Filed By: Gregory Wiercioch
Comment: Appendix to Reply Brief-Supreme Court

OCCD SC 09-21-2018 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 9-21-2018
Decision: (G) Grant
Decision Date: 9-24-2018
ORD that the motion is granted.
See BR3 event due on 9-28-2018
Comment: expand word count to 5000

OCCD SC 09-19-2018 Briefs Received At State Law Library

OCCD SC 09-13-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - WI Ass'n of Criminal Defense Lawyers

Filed By: Robert Henak
Comment: WACDL Appx to Brief of Amicus Curiae - WI Ass'n of Criminal Defense Lawyers

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OCCD SC 09-13-2018 Motion to File Amicus/Non-Party Brief

Filed By: Robert Henak
Submit Date: 9-13-2018
Decision: (G) Grant
Decision Date: 9-14-2018

ORD that the motion is granted and the brief is accepted for filing.
Comment: WACDL

OCCD SC 09-11-2018 Briefs Received At State Law Library

OCCD SC 09-10-2018 Motion to Extend Time

Filed By: Gregory Wiercioch
Submit Date: 9-11-2018
Decision: (G) Grant
Decision Date: 9-11-2018
ORD that the motion is granted. Petitioner's reply brief shall be served and filed on or before September 28, 2018. As this case is scheduled for oral argument on October 12, 2018, no further time extensions will be granted.
See BR3 event due on 9-28-2018

OCCD SC 08-30-2018 Response Brief-Supreme Court
Response Brief-Supreme Court

Filed By: Kara Mele

OCCD SC 08-06-2018 Assigned-Oral Argument

OCCD SC 07-27-2018 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 7-30-2018
Decision: (G) Grant
Decision Date: 7-30-2018
ORD that the motion is granted. The response brief of respondent shall be served and filed on or before August 30, 2018.
See BR2 event due on 8-30-2018

OCCD SC 07-11-2018 First Brief-Supreme Court
First Brief-Supreme Court

Filed By: Gregory Wiercioch
Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs. Appx to First Brief-Supreme Court

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OCCD SC 06-22-2018 Attorney Change

Comment: Added AG Mele, removed Kawski and Potter

OCCD SC 06-11-2018 Court Changed to Supreme Court

OCCD SC 04-06-2018 Fee Waived

OCCD SC 04-05-2018 Petition for Review

Filed By: Gregory Wiercioch
Submit Date: 4-9-2018
Decision: (G) Grant
Decision Date: 6-11-2018

ORD petition for review granted. Briefs/statements 30/20/10.
Motion Response
Filed By: Clayton Kawski
Submit Date: 4-9-2018

OCCD CA 03-02-2018 Motion for Reconsideration

Filed By: Gregory Wiercioch
Submit Date: 3-2-2018
Decision: (D) Deny
Decision Date: 3-6-2018
ORD that the motion for reconsideration is denied.

OCCD CA 02-12-2018 Opinion/Decision

Opinion: Memo Opinion
Decision: Supervisory Writ Denied Pages: 3
Order Text: ORD that the petition for a writ of habeas corpus is denied without costs.

OCCD CA 02-01-2018 Petition for Writ of Habeas Corpus

Filed By: Gregory Wiercioch
Submit Date: 7-1-2019
Decision: (D) Deny
Decision Date: 4-1-2022
IT IS ORDERED that the petition for a writ of habeas corpus is denied without costs.
Motion Response
Filed By: Kara Janson
Submit Date: 7-1-2019
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 8-1-2019
Motion Response
Filed By: Kara Janson
Submit Date: 8-3-2021
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 10-4-2021
This motion contains court order(s).
Comment: matter reversed and remanded to court of appeals by SC decision issued 5/29/19; response filed 7/1/19; reply to response filed 7/31/19 per 7/15/19 CTO; circuit court findings pursuant to 8/14/19 CTO due 10/14/19 State's Additional Response State's Supplemental Response

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OCCD CA 02-01-2018 Fee Waived

OCCD CA 02-01-2018 Petition for Writ of Habeas Corpus

Filed By: Gregory Wiercioch
Submit Date: 2-2-2018
Decision: (D) Deny
Decision Date: 2-12-2018
ORD that the petition for a writ of habeas corpus is denied without costs.
