

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Curtis L. Walker

Appeal Number 2016AP001058

Court of Appeals District 1/3

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|--|
| OCCD | CA | 04-14-2022 | | Remittitur |
| OCCD | CA | 03-18-2022 | | Other Papers Comment: Rcv'd fee payment for PRE, fee was waived 3/4/22. Check returned 3/24/22 |
| OCCD | SC | 02-18-2022 | | Indigency Forms Sent Filed By: Supreme Court Submit Date: 3-4-2022 Decision: (G) Grant Decision Date: 3-4-2022 ORD court grants permission to proceed without payment of filing fee. Motion Response Filed By: Curtis Walker Submit Date: 3-4-2022 Motion Response Filed By: Curtis Walker Submit Date: 3-4-2022 Comment: 3/3/22 rec'd letter from Walker noting he has sent in fee waiver form (not yet rec'd), noting why certain areas on form weren't filled out |
| OCCD | SC | 02-18-2022 | | Petition for Review Response to Petition for Review Petition for Review Filed By: Curtis Walker Submit Date: 3-4-2022 Decision: (D) Deny Decision Date: 4-13-2022 IT IS ORDERED that the petition for review is denied, without costs. Motion Response Filed By: Donald Latorraca Submit Date: 3-4-2022 Comment: Court Order of 4/13/22 |
| OCCD | CA | 01-25-2022 | | Opinion/Decision Judge Panel: Stark, Hruz, Gill |

Opinion: Summary Disposition

Decision: Affirmed Pages: 6

Order Text: IT IS ORDERED that the order is summarily affirmed pursuant to WIS. STAT. RULE 809.21.

Comment: Opinion/Decision

OCCD CA 10-05-2021 Submitted on Briefs

OCCD CA 08-13-2021 Hold Status

OCCD CA 02-15-2019 Letter/Correspondence

Comment: To parties, from Judges Stark, Hruz and Seidl, re: continued hold of decision in matter pending SC determination of petition for review in 17AP712, State v. Jackson.

OCCD CA 07-02-2018 Additional Authorities

Comment: from Appellant

OCCD CA 06-11-2018 Hold Status

OCCD SC 03-06-2018 Certification Filed

Filed By: Supreme Court Supreme Court

Submit Date: 3-6-2018

Decision: (D) Deny

Decision Date: 6-11-2018

ORD that the certification is refused.

See DEC event filed on 3-6-2018

OCCD CA 03-06-2018 [Opinion/Decision](#)

Judge Panel: Stark, Hruz, Seidl

Opinion: Certification

Decision: Certification Filed Pages: 11

Order Text: Certification filed

OCCD CA 11-15-2017 Submitted on Briefs

OCCD CA 07-24-2017 Briefs Received At State Law Library

OCCD CA 07-17-2017 Letter/Correspondence

Comment: "Response to State's Amicus Reply Brief" filed by Eileen Hirsch

OCCD CA 07-05-2017 Record and Briefs Sent to District 3

OCCD CA 06-28-2017 Other Brief

[Respondent's Reply to Amicus Brief - Other Brief](#)

Filed By: Donald Latorraca

Comment: State's response brief to amicus curiae; Note that the district number has been corrected on all briefs. Please use this number on all future correspondence.

| | | |
|---------|---|--|
| OCCD CA | 06-13-2017 | Brief of Respondent(s) Corrected - Brief of Respondent |
| | Filed By: Donald Latorraca | |
| | Comment: Amended | |
| OCCD CA | 06-09-2017 | Transfer to District III |
| OCCD CA | 06-02-2017 | Motion for Miscellaneous Relief |
| | Filed By: Donald Latorraca | |
| | Submit Date: 6-5-2017 | |
| | Decision: (G) Grant | |
| | Decision Date: 6-8-2017 | |
| | ORD that the motion to file an amended respondent's brief is granted. The State shall, no later than June 15,2017, file and serve an amended respondent's brief and, by that same date, file a copy of the amended respondent's brief in electronic form. | |
| | FRO that the State's response to the amicus curiae brief shall not exceed 5635 words and shall be filed no later than July 10, 2017. | |
| | Comment: Motion to respond to a non-party amicus brief | |
| OCCD CA | 06-01-2017 | Sua Sponte |
| | Filed By: Unassigned District 1 | |
| | Submit Date: 6-2-2017 | |
| | Decision: (O) Other | |
| | Decision Date: 6-8-2017 | |
| | ORD that the motion to file an amended respondent's brief is granted. The State shall, no later than June 15,2017, file and serve an amended respondent's brief and, by that same date, file a copy of the amended respondent's brief in electronic form. | |
| | FRO that the State's response to the amicus curiae brief shall not exceed 5635 words and shall be filed no later than July 10, 2017. | |
| | Comment: Letter rcv'd from AAG Latorraca re error in brief, action? | |
| OCCD CA | 06-01-2017 | Brief of Amicus Curiae Brief of Amicus Curiae - University of WI Law School Frank J. Remington Center |
| | Filed By: Eileen Hirsch | |
| | Comment: Remington Center | |
| OCCD CA | 06-01-2017 | Reply Brief Reply Brief |
| | Filed By: Curtis Walker | |
| | Comment: Reply Brief | |
| OCCD CA | 05-30-2017 | Motion to Extend Time |
| | Filed By: Eileen Hirsch | |
| | Submit Date: 5-31-2017 | |
| | Decision: (G) Grant | |

Decision Date: 6-1-2017

IT IS ORDERED that the deadline for the Frank J. Remington Center to file an amicus curiae brief is extended through the date of this order. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BAM event due on 6-1-2017

OCCD CA 05-12-2017

Motion to Extend Time

Filed By: Curtis Walker

Submit Date: 5-15-2017

Decision: (G) Grant

Decision Date: 5-16-2017

ORD that the deadline for Walker to file his reply brief is extended through June 23, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRY event due on 6-23-2017

OCCD CA 05-01-2017

Motion for Miscellaneous Relief

Filed By: Curtis Walker

Submit Date: 5-1-2017

Decision: (N) No Action

Decision Date: 5-8-2017

IT IS ORDERED that this court will take no action on Walker's letter filed on May 7, 2017, seeking clarification of a circuit court order.

Comment: Motion to authorize DEF-APP to directly view the PSI report

OCCD CA 04-21-2017

Sealed Documents

Comment: #63, #70

OCCD CA 04-21-2017

Record

Comment: RE-FILE; 61-21 to 71-3

OCCD CA 03-03-2017

Record Remanded to Circuit Court

Comment: PER 3/3/17 CTO - ITEMS 61 THROUGH 64 REMANDED

OCCD CA 01-30-2017

Motion for Miscellaneous Relief

Filed By: Eileen Hirsch

Submit Date: 1-30-2017

Decision: (O) Other

Decision Date: 3-3-2017

IT IS ORDERED that this matter is remanded to the circuit court to consider whether there is any portion which needs to be redacted before arrangements are made to allow Walker to view the report and whether the amicus should be permitted to view the PSI. This court retains jurisdiction over the appeal despite remand.

IT IS FURTHER ORDERED that the clerk of this court shall transmit only record items 61 through 64 for the remand; however, if the circuit court requires additional portions, it may request them from this court's clerk.

IT IS FURTHER ORDERED that the circuit court shall conduct any necessary proceedings and resolve the requests for access to the PSI by written order within sixty days of the date of this order.

IT IS FURTHER ORDERED that the clerk of the circuit court shall return the record to this court, including a copy of the redacted PSI if applicable, within five days of the date on which the circuit court acts on the matter on remand.

IT IS FURTHER ORDERED that Walker shall file his reply brief within thirty days of the date on which the circuit court enters an order regarding his request for access to the PSI.

IT IS FURTHER ORDERED that the amicus curiae brief shall be due within thirty days of the date on which the circuit court enters an order regarding its request for access to the PSI or April 17, 2017, whichever is later.

Comment: Motion for permission to review presentence investigation report

OCCD CA 01-27-2017

Motion to Extend Time

Filed By: Eileen Hirsch

Submit Date: 1-27-2017

Decision: (G) Grant

Decision Date: 3-3-2017

IT IS ORDERED that this matter is remanded to the circuit court to consider whether there is any portion which needs to be redacted before arrangements are made to allow Walker to view the report and whether the amicus should be permitted to view the PSI. This court retains jurisdiction over the appeal despite remand.

IT IS FURTHER ORDERED that the clerk of this court shall transmit only record items 61 through 64 for the remand; however, if the circuit court requires additional portions, it may request them from this court's clerk.

IT IS FURTHER ORDERED that the circuit court shall conduct any necessary proceedings and resolve the requests for access to the PSI by written order within sixty days of the date of this order.

IT IS FURTHER ORDERED that the clerk of the circuit court shall return the record to this court, including a copy of the redacted PSI if applicable, within five days of the date on which the circuit court acts on the matter on remand.

IT IS FURTHER ORDERED that Walker shall file his reply brief within thirty days of the date on which the circuit court enters an order regarding his request for access to the PSI.

IT IS FURTHER ORDERED that the amicus curiae brief shall be due within thirty days of the date on which the circuit court enters an order regarding its request for access to the PSI or April 17, 2017, whichever is later.

See BAM event due on 3-22-2017

OCCD CA 01-26-2017

Motion for Miscellaneous Relief

Filed By: Curtis Walker

Submit Date: 1-26-2017

Decision: (O) Other

Decision Date: 3-3-2017

IT IS ORDERED that this matter is remanded to the circuit court to consider whether there is any portion which needs to be redacted before arrangements are made to allow Walker to view the report and whether the amicus should be permitted to view the PSI. This court retains jurisdiction over the appeal despite remand.

IT IS FURTHER ORDERED that the clerk of this court shall transmit only record items 61 through 64 for the remand; however, if the circuit court requires additional portions, it may request them from this court's clerk.

IT IS FURTHER ORDERED that the circuit court shall conduct any necessary proceedings and resolve the requests for access to the PSI by written order within sixty days of the date of this order.

IT IS FURTHER ORDERED that the clerk of the circuit court shall return the record to this court, including a copy of the redacted PSI if applicable, within five days of the date on which the circuit court acts on the matter on remand.

IT IS FURTHER ORDERED that Walker shall file his reply brief within thirty days of the date on which the circuit court enters an order regarding his request for access to the PSI.

IT IS FURTHER ORDERED that the amicus curiae brief shall be due within thirty days of the date on which the circuit court enters an order regarding its request for access to the PSI or April 17, 2017, whichever is later.

Comment: Motion for an order to view presentence investigation report

OCCD CA 01-13-2017

Supplement to Record

OCCD CA 01-05-2017 Letter/Correspondence

Comment: Cc: of letter from AAG Latorraca to Milw. Circuit Court stating a copy of the PSI is being provided under seal.

OCCD CA 01-05-2017 Attorney Change

Comment: Eileen Hirsch address updated to reflect Remington Center per phone call

OCCD CA 12-06-2016 Motion to Correct/Supplement Record

Filed By: Curtis Walker

Submit Date: 12-6-2016

Decision: (G) Grant

Decision Date: 12-22-2016

IT IS ORDERED that within twenty days of the date of this order, the State shall make arrangements with the Department of Corrections, as described herein, for filing a copy of the PSI with the clerk of the circuit court. The PSI shall be filed under seal. IT IS FURTHER ORDERED that within ten days of the date on which the PSI is filed in the circuit court, the clerk of the circuit court shall transmit the PSI to this court by supplemental return. IT IS FURTHER ORDERED that the Remington Center's request to file a non-party amicus brief is granted. IT IS FURTHER ORDERED that the non-party brief shall be filed by march 22, 2017.

Motion Response

Filed By: Donald Latorraca

Submit Date: 12-9-2016

OCCD CA 12-01-2016 Motion to File Amicus/Non-Party Brief

Filed By: Eileen Hirsch

Submit Date: 12-9-2016

Decision: (G) Grant

Decision Date: 12-22-2016

IT IS ORDERED that within twenty days of the date of this order, the State shall make arrangements with the Department of Corrections, as described herein, for filing a copy of the PSI with the clerk of the circuit court. The PSI shall be filed under seal. IT IS FURTHER ORDERED that within ten days of the date on which the PSI is filed in the circuit court, the clerk of the circuit court shall transmit the PSI to this court by supplemental return. IT IS FURTHER ORDERED that the Remington Center's request to file a non-party amicus brief is granted. IT IS FURTHER ORDERED that the non-party brief shall be filed by march 22, 2017.

Motion Response

Filed By: Donald Latorraca

Submit Date: 12-9-2016

Comment: filed by the Remington Center

OCCD CA 11-23-2016 Brief of Respondent(s)

Comment: PER 6/8/17 - AMENDED RESPONDENT'S BRIEF TO BE FILED

OCCD CA 10-25-2016 Motion to Extend Time

Filed By: Donald Latorraca

Submit Date: 10-25-2016

Decision: (G) Grant

Decision Date: 10-26-2016

ORD that the deadline for the State to file its brief is extended through November 25, 2016. See Wis.

| | | |
|--|------------|---|
| OCCD CA | 09-26-2016 | Brief & Appx of Appellant(s) Brief of Appellant(s) |
| Filed By: Curtis Walker | | |
| Comment: Brief of Appellant(s) Appendix to Brief of Appellant(s) | | |

| | | |
|---|------------|-----------------|
| OCCD CA | 09-21-2016 | Attorney Change |
| Comment: AGA Latorraca appears for State per ltr. of representation | | |

| | | |
|--|------------|------------|
| OCCD CA | 09-13-2016 | Sua Sponte |
| Filed By: Unassigned District 1 | | |
| Submit Date: 9-13-2016 | | |
| Decision: (O) Other | | |
| Decision Date: 9-14-2016 | | |
| IT IS ORDERED that the deadline for Walker to file an appellate brief and appendix is extended through October 5, 2016. See Wis. Stat. Rule 809.82(2)(a). IT IS FURTHER ORDERED that Walker shall, no later than October 5, 2016, file five copies of an appendix for the appellants brief with the clerk of this court and serve one copy on the State. See id. | | |
| Comment: accept appellant's brief w/out appendix | | |

| | | |
|---|------------|------------|
| OCCD CA | 07-21-2016 | Sua Sponte |
| Filed By: Unassigned District 1 | | |
| Submit Date: 8-1-2016 | | |
| Decision: (G) Grant | | |
| Decision Date: 8-12-2016 | | |
| ORD that the motion to supplement the record is denied as unnecessary. | | |
| FRO that the deadline for Walker to file and serve his appellate brief and appendix is extended through September 12, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). | | |
| Comment: Letter from DEF-APP re: how does MCR affect BAP due date? | | |

| | | |
|---|------------|-------------------------------------|
| OCCD CA | 07-11-2016 | Motion to Correct/Supplement Record |
| Filed By: Curtis Walker | | |
| Submit Date: 8-1-2016 | | |
| Decision: (D) Deny | | |
| Decision Date: 8-12-2016 | | |
| ORD that the motion to supplement the record is denied as unnecessary. | | |
| FRO that the deadline for Walker to file and serve his appellate brief and appendix is extended through September 12, 2016. See Wis. Stat. rule 809.82(2)(a) (2013-14). | | |

| | | |
|-------------------------------------|------------|--------|
| OCCD CA | 06-17-2016 | Record |
| Comment: 1-17 to 60-3; separate box | | |

| | | |
|---------|------------|--|
| OCCD CA | 05-26-2016 | Notif. Sent-Filing of NAP & Ct. Record |
|---------|------------|--|

| | | |
|---------------------------------|------------|----------------------|
| OCCD CA | 05-26-2016 | Indigency Forms Sent |
| Filed By: Unassigned District 1 | | |

WSCCA Case History

Submit Date: 6-15-2016
 Decision: (G) Grant
 Decision Date: 6-15-2016
 Fee waived.
 Motion Response
 Filed By: Curtis Walker
 Submit Date: 6-15-2016

| | | | |
|------|----|---|---|
| OCCD | CA | 05-26-2016 | RAP and Guide Sent |
| OCCD | CA | 05-26-2016 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD | CA | 05-17-2016 | Notice of Appeal filed in Cir. Ct. |
| OCCD | CA | 05-16-2016 | Statement on Transcript |
| | | Filed By: Curtis Status Walker: Not Needed | |
| OCCD | CA | 05-04-2016 | Order of Circuit Court |