

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. R. D. S.

Appeal Number 2017AP001771

**CONFIDENTIAL**

Court of Appeals District 1

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	02-12-2019		Remittitur
OCCD	CA	11-06-2018		Statement of Guardian ad Litem Filed By: Deanna W Comment: GAL Weiss advises she will not submit response to the petition for review. Requests the court affirms the termination of parental rights in this case.
OCCD	CA	10-31-2018		Cites 921 N.W.2d 525
OCCD	CA	10-31-2018		Cites 384 Wis. 2d 414
OCCD	CA	10-31-2018		Opinion Ordered Unpublished
OCCD	CA	10-26-2018		Letter/Correspondence Comment: Rcv'd letter response to PRE from State, 11/1/18 - rcvd. copy of ltr. via first class mail
OCCD	SC	10-18-2018		Petition for Review Filed By: Theresa Schmieder Submit Date: 10-26-2018 Decision: (D) Deny Decision Date: 2-12-2019 ORD that the petition for review is denied, without costs. Comment: Captioned Brief and appendix, changed by SC staff
OCCD	CA	09-18-2018		<a href="#">Opinion/Decision</a> Judge Panel: Brash Opinion: Opinion Decision: Affirmed Pages: 9 Order Text: Orders affirmed

OCCD CA	09-17-2018	Briefs Received At State Law Library
OCCD CA	08-30-2018 Filed By: Theresa Schmieder	Reply Brief
OCCD CA	08-28-2018 Comment: GAL Weiss advises she will not submit brief, asks the court to affirm the termination of parental rights in this case	Statement of Guardian ad Litem
OCCD CA	08-21-2018	Briefs Received At State Law Library
OCCD CA	08-20-2018 Comment: GAL Deanna Weiss replaces GAL Vruno per notice of appearance	Attorney Change
OCCD CA	08-16-2018 Comment: RE: Respondent's Brief, Mailed 8-15-18, COS	Certificate of Filing by Mail
OCCD CA	08-16-2018 Filed By: Claire Starling	Brief of Respondent(s)
OCCD CA	08-10-2018	Briefs Received At State Law Library
OCCD CA	08-09-2018	Record and Briefs Sent to District 1
OCCD CA	08-01-2018 Filed By: Theresa Schmieder Comment: Appx to Brief of Appellant(s)	Brief & Appx of Appellant(s)
OCCD CA	07-16-2018 Filed By: Theresa Schmieder Submit Date: 7-16-2018 Decision: (G) Grant Decision Date: 8-8-2018 ORD that the deadline for filing the appellant's brief is retroactively extended to August 1, 2018. Motion Response Filed By: Claire Starling Submit Date: 7-17-2018 See BAP event due on 8-1-2018 Comment: 3	Motion to Extend Time
OCCD CA	06-28-2018 Filed By: Theresa Schmieder Submit Date: 6-28-2018 Decision: (N) No Action Decision Date: 7-2-2018 NO ACTION.	Motion to Extend Time

See BAP event due on 7-13-2018  
Comment: 2

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OCCD CA	06-25-2018	Motion to Extend Time
Filed By: Theresa Schmieder Submit Date: 6-25-2018 Decision: (G) Grant Decision Date: 6-28-2018 ORD that the deadline for R.D.S. to file the appellant's brief and appendix in this matter is extended to July 13, 2018. Motion Response Filed By: Claire Starling Submit Date: 6-26-2018 See BAP event due on 7-13-2018		

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OCCD CA	06-12-2018	Record
Comment: Re-file 1-26 to 109-92, ELECTRONICALLY FILED		

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OCCD CA	05-29-2018	Order of Circuit Court
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OCCD CA	03-16-2018	Motion for Miscellaneous Relief
Filed By: Theresa Schmieder Submit Date: 3-16-2018 Decision: (G) Grant Decision Date: 3-19-2018 ORD that the deadline for the circuit court to decide the postjudgment motion is extended through June 1, 2018. Comment: MXT for circuit court to decide postconviction motion; 2		

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OCCD CA	01-24-2018	Motion for Miscellaneous Relief
Filed By: Theresa Schmieder Submit Date: 1-24-2018 Decision: (G) Grant Decision Date: 1-26-2018 ORD that the deadline for the circuit court to decide the postdisposition motion is extended to March 21, 2018. Comment: MXT for circuit court to decide postconviction motion		

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OCCD CA	11-10-2017	Record Remanded to Circuit Court
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OCCD CA	11-09-2017	Motion for Remand
Filed By: Theresa Schmieder Submit Date: 11-9-2017 Decision: (G) Grant Decision Date: 11-10-2017 IT IS ORDERED that this appeal is remanded forthwith to the circuit court to permit R.D.S. to pursue a postjudgment motion. This court retains jurisdiction over the appeal during the remand period. IT IS FURTHER ORDERED that any postjudgment motion shall be filed within ten days of the date of this order.		

IT IS FURTHER ORDERED that the circuit court shall conduct any necessary proceedings and enter an order containing its findings and conclusions resolving the postjudgment motion within sixty days of the date of this order.

IT IS FURTHER ORDERED that a transcript shall be ordered within three days after the hearing, if appellate counsel deems a transcript of the postjudgment proceedings necessary for appeal, and any such transcript shall be served and filed within twenty days of the date it is ordered. Counsel for the appellant shall provide the court reporter with a copy of this order.

IT IS FURTHER ORDERED that a statement on transcript shall be filed by appellate counsel within five days of the date of the hearing, reflecting either that a postjudgment transcript has been ordered or that such a transcript is not necessary for this appeal.

IT IS FURTHER ORDERED that the clerk of circuit court shall retransmit the records to this court within ten days of the later of the entry of the circuit court order resolving the postjudgment motion or the filing of the transcript of the postjudgment motion hearing if such transcript is ordered. The records shall include documents, including transcripts, filed pursuant to this remand, and the circuit courts order resolving the postjudgment motion. See WIS. STAT. 808.075(7).

IT IS FURTHER ORDERED that the appellant shall file a brief presenting all grounds for relief no later than fifteen days after the records are retransmitted to this court. See WIS. STAT. RULE 809.107(6)(a).

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OCCD CA 10-13-2017 Statement on Transcript

Filed By: Theresa Schmieder  
Status: Prev. Filed

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OCCD CA 10-11-2017 Motion to Dismiss

Filed By: Claire Starling  
Submit Date: 10-11-2017  
Decision: (D) Deny  
Decision Date: 11-1-2017

IT IS ORDERED that the deadline for filing a motion to remand in appeal No. 2017AP1770 is extended until November 8, 2017.

IT IS FURTHER ORDERED that no further extensions will be granted in these appeals absent extraordinary circumstances.

IF IS FURTHER ORDERED that Attorney Theresa J. Schmieder shall notify the State Public Defender no later than November 3, 2017, if she will be unable to comply with the due dates set by this court so that successor counsel may be appointed.

IT IS FURTHER ORDERED that the motion to dismiss is denied.

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OCCD CA 10-11-2017 Motion for Miscellaneous Relief

Filed By: Theresa Schmieder  
Submit Date: 10-11-2017  
Decision: (G) Grant  
Decision Date: 10-12-2017

ORD that the deadline for filing a motion for remand to the circuit court is extended until November 8, 2017.

FRO that the deadline for filing a statement on transcript is extended until November 8, 2017.

Comment: ext. time to file motion for remand

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OCCD CA 09-28-2017 Delinquent

Comment: New due date of connected SRT: 10-5-2017

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OCCD CA 09-25-2017 Record

Comment: 1-26 to 87-151 (ELECTRONICALLY FILED)

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OCCD CA	09-13-2017	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	09-13-2017 Comment: SPD	Fee Waived
OCCD CA	09-13-2017	Termination of Parental Rights
OCCD CA	09-13-2017	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	09-13-2017	X Transfer
OCCD CA	09-08-2017	Notice of Appeal filed in Cir. Ct.
OCCD CA	08-14-2017 Filed By: Unassigned District 1 Submit Date: 8-15-2017 Decision: (D) Deny Decision Date: 8-16-2017 IT IS ORDERED that the request to reconsider, as construed, is denied. Comment: State's response to 8-10-2017 XNP, action?	Sua Sponte
OCCD CA	08-10-2017 Filed By: Theresa Schmieder Submit Date: 8-10-2017 Decision: (G) Grant Decision Date: 8-14-2017 IT IS ORDERED that the deadline for R. D. S. to file a notice of appeal is extended through September 8, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). Comment: 2 (mother)	Mot. Extend Time to file NAP/PCM
OCCD CA	07-25-2017 Filed By: Theresa Schmieder Submit Date: 7-25-2017 Decision: (G) Grant Decision Date: 7-27-2017 IT IS ORDERED that the deadline for R. D. S. and B. A. S. to file notices of appeal in this matter is extended to August 25, 2017.	Mot. Extend Time to file NAP/PCM
OCCD CA	07-25-2017 Filed By: Brian Findley Submit Date: 7-25-2017 Decision: (G) Grant Decision Date: 7-27-2017 IT IS ORDERED that the deadline for R. D. S. and B. A. S. to file notices of appeal in this matter is extended to August 25, 2017.	Mot. Extend Time to file NAP/PCM
OCCD CA	06-22-2017 ORD that CR Shelley Bertermann shall, no later than June 29, 2017, file a status report regarding	Court Order

preparation of the transcripts of proceedings in this matter.  
See XPT event filed on 6-20-2017

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OCCD CA	06-20-2017	Motion to Compel Production/Service of Transcripts
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Filed By: Claire Starling  
 Submit Date: 6-20-2017  
 Decision: (D) Deny  
 Decision Date: 7-7-2017  
 IT IS ORDERED that the motion to compel Reporter Bertermann to produce transcripts in this matter is denied.  
 Motion Response  
 Filed By: Shelley Bertermann Cutty  
 Submit Date: 6-29-2017  
 This motion contains court order(s).

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OCCD CA	09-08-2016	Mot. Extend Time to file Transcript
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Filed By: Shelley Bertermann Cutty  
 Submit Date: 9-12-2016  
 Decision: (G) Grant  
 Decision Date: 9-19-2016  
 IT IS ORDERED that the deadline for Court Reporter Bertermann to file transcripts in this matter is extended through January 9, 2017. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

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OCCD CA	07-26-2016	Order of Circuit Court
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