

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Devin T. White

Appeal Number 2016AP000119 - CR

Court of Appeals District 1

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|---|
| OCCD | CA | 09-04-2018 | | Remittitur |
| OCCD | SC | 07-16-2018 | | Motion for Miscellaneous Relief Filed By: Devin White Submit Date: 7-17-2018 Decision: (G) Grant Decision Date: 7-18-2018 ORD that the motion is granted. Defendant-appellant-petitioner's supplemental statement is accepted as filed. Comment: supplement petition for review in light of State v. Langlois |
| OCCD | SC | 07-02-2018 | | Letter/Correspondence Comment: from AAG O'Brien advising State will not file formal response opposing PRE unless ordered by the court |
| OCCD | CA | 06-21-2018 | | Fee Paid Comment: Receipt No: 18R 001546 |
| OCCD | SC | 06-11-2018 | | Indigency Forms Sent Filed By: Unassigned District 1 Submit Date: 6-26-2018 Decision: (G) Grant Decision Date: 6-26-2018 Fee waived. Motion Response Filed By: Devin White Submit Date: 6-26-2018 Comment: 6/28/18 - rcvd. certified trust account statement |
| OCCD | SC | 06-07-2018 | | Petition for Review Filed By: Devin White Submit Date: 7-3-2018 Decision: (D) Deny Decision Date: 9-4-2018 ORD that the petition for review is denied, without costs. |

Dallet, J., did not participate.

Comment: 6/11/18 CTO send in lieu of notice; 6/11/18 rcvd. 1 copy statement in support; Per 6-27-18 CTO Statement in Support accepted. 7/2/18 AG letter advising no formal response to be filed

OCCD SC 06-07-2018

Motion for Miscellaneous Relief

Filed By: Devin White

Submit Date: 6-7-2018

Decision: (G) Grant

Decision Date: 6-27-2018

IT IS ORDERED that the motion for waiver of the required number of copies of the statement in support of his petition for review is granted and the statement in support is accepted for filing.

Defendant-appellant-petitioner is reminded, however, that he remains solely responsible for serving a copy of the statement in support of his petition for review on the Attorney General, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants; and IT IS FURTHER ORDERED that the time for plaintiff-respondent, State of Wisconsin, to file a response to the petition for review shall commence as of the date of service. See Wis. Stat. Rule 809.62(3). IT IS FURTHER ORDERED that the court will take no action on defendant-appellant-petitioner's motion to waive appellant counsel.

Comment: Motion to file 1 PRE instead of 10

OCCD SC 06-07-2018

Motion for Miscellaneous Relief

Filed By: Devin White

Submit Date: 6-7-2018

Decision: (N) No Action

Decision Date: 6-27-2018

IT IS ORDERED that the motion for waiver of the required number of copies of the statement in support of his petition for review is granted and the statement in support is accepted for filing.

Defendant-appellant-petitioner is reminded, however, that he remains solely responsible for serving a copy of the statement in support of his petition for review on the Attorney General, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants; and IT IS FURTHER ORDERED that the time for plaintiff-respondent, State of Wisconsin, to file a response to the petition for review shall commence as of the date of service. See Wis. Stat. Rule 809.62(3). IT IS FURTHER ORDERED that the court will take no action on defendant-appellant-petitioner's motion to waive appellant counsel.

Comment: Motion to waive appellate counsel

OCCD SC 06-07-2018

Motion for Miscellaneous Relief

Filed By: Devin White

Submit Date: 6-7-2018

Decision: (G) Grant

Decision Date: 6-11-2018

ORD that the motion to accept the "Motion to File Non-conforming Petition" as a nonconforming petition for review is granted. However, a statement in support of the petition, conforming to the requirements of Wis. Stat. 809.62(2) and (4), must be filed with the clerk of this court by July 26, 2018. If the statement is not filed by that time, this petition will be summarily dismissed. No further time extensions will be granted; and

FRO that the motion for waiver of the requirement number of copies of the petition is held in abeyance pending further order of the court.

Comment: Motion to file non-conforming PRE & extend time to file conforming PRE

OCCD CA 05-30-2018

Cites

915 N.W.2d 729

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| OCCD CA | 05-30-2018 | Cites |
| 382 Wis. 2d 269 | | |
| OCCD CA | 05-30-2018 | Opinion Ordered Unpublished |
| OCCD CA | 05-01-2018 | Motion for Stay |
| Filed By: Thomas Kurzynski Submit Date: 5-1-2018 Decision: (D) Deny Decision Date: 5-7-2018 ORD that the motion to stay proceedings and the motion for reconsideration are denied. Comment: pending SC DEC in 16AP1409-CR State v. Langlois | | |
| OCCD CA | 04-30-2018 | Motion for Reconsideration |
| Filed By: Thomas Kurzynski Submit Date: 5-1-2018 Decision: (D) Deny Decision Date: 5-7-2018 ORD that the motion to stay proceedings and the motion for reconsideration are denied. Comment: 4/10/18 DEC | | |
| OCCD CA | 04-10-2018 | Opinion/Decision |
| Judge Panel: Dugan, Brash, Brennan Opinion: Opinion Decision: Affirmed Pages: 19 Written by: Dugan, Timothy G. Order Text: Order affirmed | | |
| OCCD CA | 11-08-2017 | Submitted on Briefs |
| OCCD CA | 11-07-2017 | Letter/Correspondence |
| Comment: applnt. requests copy of docket, mailed 11/7/17 | | |
| OCCD CA | 07-14-2017 | Briefs Received At State Law Library |
| OCCD CA | 07-05-2017 | Reply Brief Reply Brief - Corrected [Replaces June 20, 2017 Brief] |
| Filed By: Thomas Kurzynski Comment: Corrected [Replaces June 20, 2017 Brief] | | |
| OCCD CA | 06-29-2017 | Motion for Miscellaneous Relief |
| Filed By: Thomas Kurzynski Submit Date: 6-29-2017 Decision: (G) Grant Decision Date: 7-5-2017 | | |

ORD that the defendant-Appellant's corrected reply brief is accepted for filing and that the clerk's office shall replace the originally filed reply brief with the corrected reply brief.

Comment: accepted corrected reply brief?

OCCD CA 06-21-2017 Record and Briefs Sent to District 1

OCCD CA 06-20-2017 Reply Brief

Filed By: Thomas Kurzynski

OCCD CA 06-13-2017 Motion to Extend Time

Filed By: Thomas Kurzynski

Submit Date: 6-13-2017

Decision: (G) Grant

Decision Date: 6-15-2017

IT IS ORDERED that the deadline for White to file a reply brief is extended thorough June 19, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRY event due on 6-19-2017

Comment: 3

OCCD CA 05-11-2017 Motion to Extend Time

Filed By: Thomas Kurzynski

Submit Date: 5-12-2017

Decision: (G) Grant

Decision Date: 5-15-2017

ORD that the deadline for White to file a reply brief is extended thorough June 12, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRY event due on 6-12-2017

OCCD CA 04-12-2017 Motion to Extend Time

Filed By: Thomas Kurzynski

Submit Date: 4-12-2017

Decision: (G) Grant

Decision Date: 4-13-2017

ORD that the time for the appltant to file the reply brief is extended to May 11, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRY event due on 5-11-2017

OCCD CA 03-27-2017 Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: 10264 (O'Brien, Daniel)

OCCD CA 03-03-2017 Motion to Extend Time

Filed By: 10264 (O'Brien, Daniel)

Submit Date: 3-3-2017

Decision: (G) Grant

Decision Date: 3-7-2017

IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to March 27, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRS event due on 3-27-2017

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| OCCD CA | 02-08-2017 | Attorney Change |
| Comment: Per notice of appearance added AAG Daniel J. O'Brien as counsel for the State. | | |
| OCCD CA | 02-03-2017 | Certificate of Filing by Mail |
| Comment: BAP-IB 01/31/17 | | |
| OCCD CA | 02-03-2017 | Brief & Appx of Appellant(s) |
| Brief of Appellant | | |
| Filed By: Thomas Kurzynski | | |
| Comment: Appendix to Brief of Appellant(s) | | |
| OCCD CA | 01-11-2017 | Motion to Extend Time |
| Filed By: Thomas Kurzynski | | |
| Submit Date: 1-12-2017 | | |
| Decision: (G) Grant | | |
| Decision Date: 1-13-2017 | | |
| ORD that the deadline for White to file the appellant's brief and appendix in this matter is extended to February 10, 2017. | | |
| See BAP event due on 2-10-2017 | | |
| OCCD CA | 12-12-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski | | |
| Submit Date: 12-13-2016 | | |
| Decision: (G) Grant | | |
| Decision Date: 12-14-2016 | | |
| ORD that the deadline for White to file his appellant's brief and appendix in this matter is extended to January 11, 2017. | | |
| See BAP event due on 1-11-2017 | | |
| Comment: 9th | | |
| OCCD CA | 11-11-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski | | |
| Submit Date: 11-14-2016 | | |
| Decision: (G) Grant | | |
| Decision Date: 11-15-2016 | | |
| IT IS ORDERED that the deadline for White to file his appellant's brief and appendix is extended to December 12, 2016. | | |
| See BAP event due on 12-12-2016 | | |
| Comment: 8th | | |
| OCCD CA | 10-12-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski | | |
| Submit Date: 10-13-2016 | | |
| Decision: (G) Grant | | |
| Decision Date: 10-14-2016 | | |
| IT IS ORDERED that the deadline for White to file a brief and appendix is extended through November 11, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). | | |
| See BAP event due on 11-11-2016 | | |
| Comment: 7th | | |

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| OCCD CA | 09-13-2016 | Motion to Extend Time |
| <p>Filed By: Thomas Kurzynski Submit Date: 9-13-2016 Decision: (O) Other Decision Date: 9-14-2016 ORD that the motion to exceed the word limit for a brief-in-chief is denied. FRO that the deadline for filing an opening brief and appendix is extended through October 12, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 9-12-2016 Comment: 6th; and exceed word limits</p> | | |

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| OCCD CA | 08-12-2016 | Motion to Extend Time |
| <p>Filed By: Thomas Kurzynski Submit Date: 8-15-2016 Decision: (G) Grant Decision Date: 8-16-2016 ORD that the deadline for White to file a brief and appendix is extended through September 12, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14) See BAP event due on 9-12-2016 Comment: 5th</p> | | |

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| OCCD CA | 07-13-2016 | Motion to Extend Time |
| <p>Filed By: Thomas Kurzynski Submit Date: 7-14-2016 Decision: (O) Other Decision Date: 7-15-2016 ORD that the time for filing an appellant's brief is extended until August 12, 2016. FRO that the motion to exceed the briefing word limits is denied. See BAP event due on 7-13-2016 Comment: 4th; and exceed word limits</p> | | |

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| OCCD CA | 06-13-2016 | Motion to Extend Time |
| <p>Filed By: Thomas Kurzynski Submit Date: 6-14-2016 Decision: (G) Grant Decision Date: 6-15-2016 ORD that the time for the appellant to file an appellant's brief is extended until July 13, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 7-13-2016 Comment: 3d</p> | | |

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| OCCD CA | 05-13-2016 | Motion to Extend Time |
| <p>Filed By: Thomas Kurzynski Submit Date: 5-16-2016 Decision: (G) Grant Decision Date: 5-18-2016 ORD that the time for the appellant to file an appellant's brief is extended until June 13, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 6-13-2016 Comment: 2d</p> | | |

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| OCCD CA | 04-13-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski Submit Date: 4-14-2016 Decision: (G) Grant Decision Date: 4-15-2016 ORD that the time for the appellant to file an appellant's brief is extended until May 13, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 5-13-2016 | | |
| OCCD CA | 03-08-2016 | Court Order |
| ORD that the deadline for the trial court to decide the postconviction motion is extended to 12/14/15. See Wis. Stat. Rule 809.82(2)(a). FRO that the time to file a notice of appeal is extended to 1/12/16. See Wis. Stat. Rule 809.82(2)(a). | | |
| OCCD CA | 03-04-2016 | Record |
| Comment: 1-10 to 80-4, separate box | | |
| OCCD CA | 02-08-2016 | Fee Paid |
| Comment: Invoice No: 17862; Receipt No: 16R 000336 | | |
| OCCD CA | 02-08-2016 | Invoice Issued |
| Comment: Invoice No: 17862 | | |
| OCCD CA | 02-03-2016 | Court Order for Filing Fee Issued |
| OCCD CA | 01-26-2016 | Statement on Transcript |
| Filed By: Thomas Kurzynski Status: Prev. Filed | | |
| OCCD CA | 01-15-2016 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 01-15-2016 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 01-15-2016 | X Transfer |
| OCCD CA | 01-12-2016 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 12-14-2015 | Order of Circuit Court |
| OCCD CA | 07-10-2015 | Mot. Extend Time to file NAP/PCM |
| Filed By: Thomas Kurzynski Submit Date: 7-10-2015 Decision: (G) Grant Decision Date: 7-14-2015 | | |

IT IS ORDERED the deadline for White to file a postconviction motion or notice of appeal in this matter is extended to 08/10/15.

Comment: 3d

OCCD CA 06-10-2015

Mot. Extend Time to file NAP/PCM

Filed By: Thomas Kurzynski

Submit Date: 6-10-2015

Decision: (G) Grant

Decision Date: 6-12-2015

IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to July 10, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 2nd

OCCD CA 06-09-2015

Mot. Extend Time to file NAP/PCM

Filed By: Thomas Kurzynski

Submit Date: 6-9-2015

Decision: (G) Grant

Decision Date: 6-11-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to July 10, 2015.

See Wis. Stat. Rule 809.82(2)(a) (2013-14)

OCCD CA 05-11-2015

Mot. Extend Time to file NAP/PCM

Filed By: Thomas Kurzynski

Submit Date: 5-13-2015

Decision: (G) Grant

Decision Date: 5-14-2015

IT IS ORDERED the time for filing a notice of appeal or a postconviction motion is extended to 06/10/15.

See Wis. Stat. Rule 809.82(2)(a) (2013-14).
