

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Danny L. Wilber

Appeal Number 2016AP000260

Court of Appeals District 1

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|---|-------|-------------|----------------------|----------------------------------|
| OCCD | CA | 04-09-2019 | | Remittitur |
| Comment: Separate Box | | | | |
| OCCD | CA | 01-31-2019 | | Cites |
| 925 N.W.2d 777 | | | | |
| OCCD | CA | 01-31-2019 | | Cites |
| 385 Wis. 2d 513 | | | | |
| OCCD | CA | 01-31-2019 | | Opinion Ordered Unpublished |
| OCCD | SC | 01-22-2019 | | Letter/Correspondence |
| Comment: State advises it opposes petition, will not file formal response unless ordered by court | | | | |
| OCCD | SC | 01-07-2019 | | Fee Paid |
| Comment: Receipt No: 19R 000064 | | | | |
| OCCD | SC | 01-07-2019 | | Petition for Review |
| Filed By: Robert Henak | | | | |
| Submit Date: 1-23-2019 | | | | |
| Decision: (D) Deny | | | | |
| Decision Date: 4-9-2019 | | | | |
| ORD that the petition for review is denied, without costs. | | | | |
| OCCD | CA | 12-26-2018 | | Opinion/Decision |
| Judge Panel: Brash, Brennan, Kessler | | | | |
| Opinion: Opinion | | | | |
| Decision: Affirmed Pages: 17 | | | | |
| Written by: Kessler, Joan F. | | | | |
| Order Text: Order affirmed | | | | |
| OCCD | CA | 10-02-2018 | | Submitted on Briefs |

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|---------|--|---|
| OCCD CA | 07-24-2018 | Briefs Received At State Law Library |
| OCCD CA | 07-10-2018 | Record and Briefs Sent to District 1 |
| OCCD CA | 07-06-2018 Comment: RE: Reply Brief, Mailed 7-2-18, (IB) | Certificate of Filing by Mail |
| OCCD CA | 07-06-2018 Filed By: Robert Henak | Reply Brief Reply Brief |
| OCCD CA | 06-15-2018 Filed By: Lisa Kumfer | Brief of Respondent(s) Brief of Respondent |
| OCCD CA | 05-31-2018 Filed By: Lisa Kumfer Submit Date: 6-1-2018 Decision: (G) Grant Decision Date: 6-4-2018 ORD that the deadline for the State to file the respondent's brief in this matter is extended to June 18, 2018. See BRS event due on 6-18-2018 Comment: 2 | Motion to Extend Time |
| OCCD CA | 05-14-2018 | Hold Status |
| OCCD CA | 05-04-2018 Filed By: Unassigned District 1 Submit Date: 5-7-2018 Decision: (O) Other Decision Date: 5-14-2018 ORD that the hold previously imposed in this matter is lifted and this appeal may continue. FRO that the deadline for the respondent to file its opening brief is extended through June 1, 2018, and further briefing shall proceed according to the rules of appellate procedure. Motion Response Filed By: Robert Henak Submit Date: 5-9-2018 | Sua Sponte |
| OCCD CA | 05-04-2018 Comment: Per 2/5/18 CTO State to advise court DEC has been issued in 14AP2561; er 2/5/18 CTO State advises McAlister DEC issued 4/17/18, State's position is that briefing should resume | Response |
| OCCD CA | 01-26-2018 Filed By: Lisa Kumfer Submit Date: 1-26-2018 Decision: (G) Grant | Motion for Stay |

Decision Date: 2-5-2018

IT IS ORDERED that this appeal is held in abeyance pending further order of this court. IT IS FURTHER ORDERED that within thirty days of the date on which the supreme court issues a decision in in State v. McAlister, No. 2014AP2561, the State shall advise this court of the issued decision and whether briefing in this appeal may resume.

Motion Response

Filed By: Robert Henak

Submit Date: 1-31-2018

Comment: pending resolution in State v. McAlister 14AP2561

OCCD CA 12-21-2017 Motion to Extend Time
Filed By: Lisa Kumfer
Submit Date: 12-21-2017
Decision: (G) Grant
Decision Date: 12-22-2017
ORD that the time for the respondent to file a respondent's brief is extended to February 5, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BRS event due on 2-5-2018

OCCD CA 12-15-2017 Letter/Correspondence
Comment: Atty. Henak advises he has discovered a citation error in appellant's brief.
Letter/Correspondence - Regarding Errors in Appellant's Brief

OCCD CA 12-15-2017 Sua Sponte
Filed By: Unassigned District 1
Submit Date: 12-15-2017
Decision: (N) No Action
Decision Date: 12-18-2017
No action
Comment: Letter from Atty. Henak re citation errors in BAP, action?

OCCD CA 12-04-2017 Other Papers
Comment: AAG Kumfer appears for State per ltr. of representation

OCCD CA 11-29-2017 Certificate of Filing by Mail
Comment: BAP-IB 11/27/17

OCCD CA 11-29-2017 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Robert Henak

OCCD CA 11-14-2017 Supplement to Record
Comment: 103-22 to 109-5

OCCD CA 11-07-2017 Sua Sponte
Filed By: Unassigned District 1
Submit Date: 11-7-2017
Decision: (O) Other
Decision Date: 11-9-2017

ORD that within 14 days of the date of this order, the clerk of the circuit court shall transmit, by supplemental return, the trial exhibits list(s) and "documentary and photographic exhibits admitted at trial" as previously ordered.

OCCD CA 10-30-2017

Motion to Correct/Supplement Record

Filed By: Robert Henak
Submit Date: 10-31-2017
Decision: (G) Grant
Decision Date: 11-1-2017

ORD that the clerk of the circuit court shall include the above-listed items in the appellate record no later than 1 days from the date of this order.

FRO that the deadline for filing the appellant's brief is extended until 14 days after the date the record is supplemented.

OCCD CA 09-15-2017

Attorney Change

Comment: AAG Kumfer appears for State per ltr. of representation

OCCD CA 09-13-2017

Motion for Remand

Filed By: Robert Henak
Submit Date: 9-13-2017
Decision: (D) Deny
Decision Date: 10-3-2017

IT IS ORDERED that the motion for a stay and remand is denied.

IT IS FURTHER ORDERED that the deadline for Wilber to file his appellants brief and appendix is extended to November 2, 2017.

Motion Response

Filed By: Lisa Kumfer
Submit Date: 9-25-2017

Comment: and to Stay Proceedings on Appeal.

OCCD CA 07-14-2017

Motion to Extend Time

Filed By: Robert Henak
Submit Date: 7-14-2017
Decision: (G) Grant
Decision Date: 7-17-2017

IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until September 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (205-16).

See BAP event due on 9-15-2017

OCCD CA 07-05-2017

Attorney Change

Comment: W/drew Atty Kurzynski, added Attys Ellen and Robert Henak as counsel for appellant per filing of Notice of Substitution of Counsel.

OCCD CA 05-16-2017

Motion to Extend Time

Filed By: Thomas Kurzynski
Submit Date: 5-17-2017
Decision: (G) Grant
Decision Date: 5-19-2017

ORD that the deadline for Wilber to file an appellate brief and appendix is extended through July 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BAP event due on 7-17-2017

OCCD CA 04-18-2017 Motion to Extend Time
Filed By: Thomas Kurzynski
Submit Date: 4-18-2017
Decision: (G) Grant
Decision Date: 4-19-2017
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until May 16, 2017.
See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 5-16-2017
Comment: 7

OCCD CA 02-14-2017 Motion to Extend Time
Filed By: Thomas Kurzynski
Submit Date: 2-15-2017
Decision: (G) Grant
Decision Date: 2-16-2017
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until April 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 4-17-2017
Comment: 6

OCCD CA 12-16-2016 Motion to Extend Time
Filed By: Thomas Kurzynski
Submit Date: 12-16-2016
Decision: (G) Grant
Decision Date: 12-20-2016
ORD that the deadline for Wilber to file his appellant's brief and appendix is extended to February 14, 2017.
See BAP event due on 2-14-2017
Comment: 5th

OCCD CA 10-17-2016 Motion to Extend Time
Filed By: Thomas Kurzynski
Submit Date: 10-18-2016
Decision: (G) Grant
Decision Date: 10-19-2016
IT IS ORDERED that the deadline for Wilber to file a brief and appendix is extended through December 16, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BAP event due on 12-16-2016
Comment: 4th

OCCD CA 08-16-2016 Motion to Extend Time
Filed By: Thomas Kurzynski
Submit Date: 8-17-2016
Decision: (G) Grant
Decision Date: 8-18-2016
IT IS ORDERED that the deadline for Wilber to file a brief and appendix is extended through October 17, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BAP event due on 10-17-2016
Comment: 3d

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| OCCD CA | 06-20-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski Submit Date: 6-20-2016 Decision: (G) Grant Decision Date: 6-21-2016 IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until August 6, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 8-16-2016 | | |
| OCCD CA | 04-18-2016 | Motion to Extend Time |
| Filed By: Thomas Kurzynski Submit Date: 4-19-2016 Decision: (G) Grant Decision Date: 4-20-2016 ORD that the time for the appellant to file an appellant's brief is extended until June 17, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 6-17-2016 | | |
| OCCD CA | 03-09-2016 | Record |
| Comment: 1-13 to 102-5, separate box | | |
| OCCD CA | 02-15-2016 | Statement on Transcript |
| Filed By: Thomas Kurzynski Status: Prev. Filed | | |
| OCCD CA | 02-08-2016 | Fee Paid |
| Comment: Invoice No: 17867; Receipt No: 16R 000342 | | |
| OCCD CA | 02-08-2016 | Invoice Issued |
| Comment: Invoice No: 17867 | | |
| OCCD CA | 02-05-2016 | Court Order for Filing Fee Issued |
| OCCD CA | 02-05-2016 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 02-04-2016 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 02-01-2016 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 11-25-2015 | Order of Circuit Court |