# Wisconsin Supreme Court and Court of Appeals Case Access

## State v. Michael Wade

## Appeal Number 2018AP000614 - CR

**Court of Appeals District 1** 

### CASE HISTORY

| Status Court i illing Date Atticipated Due Date Activity | <b>Status Court</b> | Filing Date | Anticipated Due Date | Activity |
|--|---------------------|-------------|----------------------|----------|
|--|---------------------|-------------|----------------------|----------|

OCCD SC 09-02-2020 Invoice Issued

Comment: Invoice No: 19037 VOIDED on 9-2-2020 - SPD appointed

OCCD CA 07-10-2019 Remittitur

Comment: NRI by UPS

OCCD CA 04-24-2019 Cites

927 N.W.2d 928

OCCD CA 04-24-2019 Cites

386 Wis. 2d 670

OCCD CA 04-24-2019 Opinion Ordered Unpublished

OCCD SC 04-11-2019 Letter/Correspondence

Comment: State advises it opposes petition, will not file formal response unelss ordered by court.

OCCD SC 04-10-2019 Letter/Correspondence

Comment: AG's office will not file formal response unless ordered by the court. AAG Kawski.

OCCD SC 04-03-2019 Petition for Review

Filed By: Jeffrey Guerard Submit Date: 4-18-2019 Decision: (D) Deny Decision Date: 7-10-2019

ORD that the petition for review is denied, without costs. SHIRLEY S. ABRAHAMSON, J., did not participate.

OCCD CA 03-05-2019 Opinion/Decision

Judge Panel: Brash Opinion: Opinion

Decision: Affirmed Pages: 8

Order Text: Judgment and order affirmed.

| OCCD | CA   | 01-17-2019  | Briefs Received At State Law Library            |  |  |  |
|------|--|---|---|--|--|--|
| OCCD | CA   | 12-28-2018  | Submitted on Briefs                             |  |  |  |
| OCCD | CA   | 12-27-2018  | Record and Briefs Sent to District 1            |  |  |  |
| OCCD | CA   | 12-21-2018  | Reply Brief Reply Brief                         |  |  |  |
|      | Filed E  | By: Jeffrey Guerard   |   |  |  |  |
| OCCD | CA   | 12-14-2018  | Motion to Extend Time                           |  |  |  |
|      | Submi<br>Decision<br>Decision<br>IT IS C<br>See W  | By: Jeffrey Guerard t Date: 12-14-2018 on: (G) Grant on Date: 12-18-2018 DRDERED that the time for the appellant ris. Stat. Rule 809.82(2)(a) (2015-16). RY event due on 12-21-2018 |   |  |  |  |
| OCCD |  | 11-30-2018  | Certificate of Filing by Mail                   |  |  |  |
|      | Comment: Re: Brief of Plaintiff-Respondent; rcvd 10 copies of briefs mailed, 11-28-2018. |   |   |  |  |  |
| OCCD | CA   | 11-30-2018  | Brief of Respondent(s) Brief of Respondent(s)   |  |  |  |
|      | Filed E  | By: Ken Olstinski   |   |  |  |  |
| OCCD |  | 10-25-2018  | Motion to Extend Time                           |  |  |  |
|      | Filed By: Ken Olstinski<br>Submit Date: 10-25-2018                                       |   |   |  |  |  |
|      |  | Decision: (G) Grant   |   |  |  |  |
|      |  | Decision Date: 10-26-2018 IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to November   |   |  |  |  |
|      | 18, 20   | 18, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRS event due on 11-28-2018  |   |  |  |  |
|      | See B  | RS event due on 11-28-2018  |   |  |  |  |
| OCCD | CA   | 10-17-2018  | Attorney Change                                 |  |  |  |
|      | Comm   | ent: Per notice of appearance added AD  | A Ken Olstinski as counsel for the State.       |  |  |  |
| OCCD | CA   | 09-27-2018  | Brief & Appx of Appellant(s) Brief of Appellant |  |  |  |
|      | Filed E  | By: Jeffrey Guerard   | • •   |  |  |  |
|      | Comm   | ent: Appx to Brief of Appellant(s)  |   |  |  |  |
|      |  |   |   |  |  |  |

Motion to Extend Time

Page 2 of 5

OCCD CA

09-18-2018

Filed By: Jeffrey Guerard Submit Date: 9-19-2018 Decision: (G) Grant Decision Date: 9-20-2018

ORD that the deadline for Wade to file a brief and appendix is extended through September 27, 2018.

See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BAP event due on 9-27-2018

Comment: 2

OCCD CA 08-17-2018

Motion to Extend Time

Filed By: Jeffrey Guerard Submit Date: 8-17-2018 Decision: (G) Grant Decision Date: 8-20-2018

ORD that the deadline for Wade to file the appellant's brief and appendix is extended to September 20,

2018.

See BAP event due on 9-20-2018

OCCD CA 07-12-2018

Non-Electronic Record Item

Comment: EXHIBITS: #1 CD #3 CD #7 CD

OCCD CA 07-11-2018

Sealed Documents

Comment: #5-7

OCCD CA 07-11-2018

Record

Comment: 1-4 to 48-50, ELECTRONICALLY FILED

OCCD CA 07-05-2018

Statement on Transcript

Filed By: Jeffrey Guerard Status: Prev. Filed

OCCD CA 06-25-2018

Other Papers

Comment: Add'I notice of appearance for Atty. Jeffrey J. Guerard as counsel for the DEF-APP

OCCD CA 06-20-2018

**Hold Status** 

OCCD CA 06-18-2018

Sua Sponte

Filed By: Unassigned District 1 Submit Date: 6-18-2018 Decision: (O) Other Decision Date: 6-20-2018

ORD that the previously imposed hold in this matter is lifted.

FRO that counsel shall file a statement on transcript by July 5, 2018. FRO that the record in this matter shall be transmitted by July 11, 2018.

Comment: Counsel appointed for DEF-APP, action?

OCCD CA 06-18-2018

Attorney Change

Comment: Per notice of appearance added Atty. Jeffrey J. Guerard as counsel for the DEF-APP

OCCD CA 06-18-2018

Response

Comment: due per the 5-4-2018 CTO, in writing whether Wade will proceed with successor counsel or will proceed pro se.

OCCD CA 05-11-2018

Certificate of Service

Comment: due from Attorneys Luczak and Kepper per the 5-4-2018 CTO.

OCCD CA 04-18-2018

Motion to Withdraw

Filed By: Jason Luczak Submit Date: 4-19-2018 Decision: (G) Grant Decision Date: 5-4-2018

IT IS ORDERED that Attorney Jason Luczak, Attorney Kathryn A. Keppel, and the law office of Gimbel, Reilly, Guerin & Brown, LLP are granted leave to withdraw from representation of Wade. The clerk of this court shall remove the attorneys and their firm as counsel of record. IT IS FURTHER ORDERED that within ten days of the date of this order, Attorney Luczak and Attorney Keppel shall serve on Wade a copy of this order and contact information for the state public defender's offfice and shall provide a certificate of service to this courtl Service may be by mail. IT IS FURTHER ORDERED that when Attorneys Luczak and Keppel file the certificate of service, they shall also provide this court with contact information, including a mailing address, for Wade. IT IS FURTHER ORDERED that, on or before June 18, 2018, Wade or his successor counsel shall advise this court in writing whether Wade will proceed with successor counsel or will represent himself. IT IS FURTHER ORDERED that this appeal, including transmittal of the record, is held in abeyance pending further order of this court.

Motion Response

Filed By: Andrea Cornwall Submit Date: 5-1-2018

Comment: ext. appellate deadlines

| OCCD |    | 04-02-2018 ent: rcv'd from Atty. Keppel               | Notice of Appeal & Circuit Court Docket Entries |
|------|----|---|---|
| OCCD |    | 04-02-2018<br>ent: Invoice No: 18650; Receipt No: 18R | Fee Paid<br>000826                              |
| OCCD |    | 04-02-2018<br>ent: Invoice No: 18650                  | Invoice Issued                                  |
| OCCD | CA | 04-02-2018  | Notif. Sent-Filing of NAP & Ct. Record          |
| OCCD | CA | 04-02-2018  | Notice of Appeal & Circuit Court Docket Entries |
| OCCD | CA | 04-02-2018  | X Transfer                                      |
| OCCD | CA | 03-29-2018  | Notice of Appeal filed in Cir. Ct.              |
| OCCD | CA | 03-09-2018  | Order of Circuit Court                          |

#### **WSCCA Case History**

OCCD CA 03-06-2018

Mot. Extend Time to Decide Postconviction Motion

Filed By: Paul Ksicinski Submit Date: 3-6-2018 Decision: (G) Grant Decision Date: 3-8-2018

IT IS ORDERED that the deadline for the circuit court to decide Wade's postconviction motion is

extended through April 23, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 10-27-2017

Mot. Extend Time to file NAP/PCM

Filed By: Jeffrey Guerard Submit Date: 10-27-2017 Decision: (G) Grant Decision Date: 10-31-2017

IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to

December 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

Comment: 2

OCCD CA 08-29-2017

Mot. Extend Time to file NAP/PCM

Filed By: Jeffrey Guerard Submit Date: 8-29-2017 Decision: (G) Grant Decision Date: 8-31-2017

IT IS ORDERED that the deadline for Wade to file a postconviction motion or a notice of appeal is

extended through November 1, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 01-05-2017

Judgment of Circuit Court