Wisconsin Supreme Court and Court of Appeals Case Access

State v. B. D. S.

Appeal Number 2017AP001770

CONFIDENTIAL
Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	07-08-2019		Attorney Change
	Comment: per notice of appearance withdrew ADA Claire Starling, added ADA Meghan Lindberg as counsel for the State			
OCCD	SC	03-14-2019		Letter/Correspondence
	Comment: Letter response to PRE filed by the State.			
OCCD	SC	03-08-2019		Motion for Miscellaneous Relief
	Filed By: Courtney R Submit Date: 3-8-2019 Decision: (G) Grant Decision Date: 3-11-2019 ORD that the motion is granted. The response of the guardian ad litem for J.S., Attorney Courtney L.A. Roelandts, shall be served and filed on or before March 22, 2019. Comment: MXT to file GAL's response to PRE			
OCCD	SC	03-06-2019		Attorney Change
	Comment: GAL Roelandts appears for J.S.			
OCCD	SC	02-26-2019		Fee Waived
	Comment: SPD/CA			
OCCD	SC	02-26-2019		Petition for Review
	Filed By: Brian Findley Submit Date: 3-22-2019 Decision: (D) Deny Decision Date: 8-14-2019 ORD that the petition for review is denied, without costs. Motion Response Filed By: Courtney R Submit Date: 3-22-2019			
OCCD	SC	02-12-2019		Court Order

ORD that the petition for writ of habeas corpus is granted.
FRO that petitioner may file a petition for review from the adverse court of appeals' decision issued on August 28, 2018, in State v. B.D.S. No. 2017AP1770, no later than 10 days from the date of this order. State ex rel. Schmelzer v. Murphy, 201 Wis. 2d 245, 548 N.W.2d 45 (1996).

OCCD CA 10-04-2018 Remittitur

OCCD CA 09-26-2018 Cites

921 N.W.2d 5

OCCD CA 09-26-2018 Cites

384 Wis. 2d 271

OCCD CA 09-26-2018 Opinion Ordered Unpublished

OCCD CA 09-07-2018 Briefs Received At State Law Library

Comment: Reply Brief

OCCD CA 08-28-2018 Opinion/Decision

Judge Panel: Brash
Opinion: Opinion
Decision: Affirmed Pages: 10
Order Text: Orders affirmed.

OCCD CA 08-13-2018 Reply Brief

Filed By: Brian Findley

Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs.

OCCD CA 08-10-2018 Briefs Received At State Law Library

OCCD CA 08-03-2018 Certificate of Filing by Mail

Comment: RE Ad Litem Brief: COM mailed 8/1/18

OCCD CA 08-03-2018 Brief of Guardian ad Litem

Filed By: Michael V

Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs. Appx to Brief of Guardian ad Litem

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OCCD CA 08-01-2018 Briefs Received At State Law Library

OCCD CA 07-13-2018 Certificate of Filing by Mail

Comment: RE Respondent's Brief: COM/COS Mailed 7/12/18

OCCD CA 07-13-2018 Brief of Respondent(s)

Filed By: Claire Starling

Comment: When using staples, please make sure there are no protruding or sharp staples. Note that the caption has been corrected on this brief. Please use the above caption on all future briefs. Appx to Brief of Respondent(s)

OCCD CA 07-11-2018 Motion for Miscellaneous Relief

Filed By: Michael V
Submit Date: 7-11-2018
Decision: (G) Grant
Decision Date: 7-12-2018
IT IS ORDERED Attorney Findley shall serve the appellants brief on the guardian ad litem on or before July 18, 2018. IT IS FURTHER ORDERED that the States brief and the guardian ad litems brief may be filed on or before August 1, 2018.
Comment: MXT/BGL

OCCD CA 07-09-2018 Motion for Miscellaneous Relief

Filed By: Claire Starling
Submit Date: 7-10-2018
Decision: (G) Grant
Decision Date: 7-12-2018
IT IS ORDERED Attorney Findley shall serve the appellants brief on the guardian ad litem on or before July 18, 2018. IT IS FURTHER ORDERED that the States brief and the guardian ad litems brief may be filed on or before August 1, 2018.
Comment: Motion to compel service of BAP and Amended Motion

OCCD CA 07-06-2018 Briefs Received At State Law Library

OCCD CA 06-28-2018 Record and Briefs Sent to District 1

OCCD CA 06-27-2018 Brief & Appx of Appellant(s)

Filed By: Brian Findley

Comment: Please note that corrections have been made to each briefs appendix due to breaches of confidentiality. Appx Brief of Appellant(s)

OCCD CA 06-12-2018 Record

Comment: Re-file 1-26 to 98-92, ELECTRONICALLY FILED

OCCD CA 05-29-2018 Order of Circuit Court

OCCD CA 03-16-2018 Motion for Miscellaneous Relief

Filed By: Brian Findley
Submit Date: 3-16-2018
Decision: (G) Grant
Decision Date: 3-20-2018

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 post-remand motion

OCCD CA 11-10-2017 Record Remanded to Circuit Court

OCCD CA 11-08-2017 Motion for Remand

Filed By: Brian Findley
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 B.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).

OCCD CA 10-12-2017 Motion for Miscellaneous Relief

Filed By: Brian Findley
Submit Date: 10-13-2017
Decision: (G) Grant
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.
Comment: ext. time to file motion to remand

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.

OCCD CA 10-09-2017 Statement on Transcript

Filed By: Brian Findley
Status: Prev. Filed

OCCD CA 09-28-2017 Delinquent

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

OCCD CA 09-25-2017 Record

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

OCCD CA 09-13-2017 Fee Waived

Comment: SPD

OCCD CA 09-13-2017 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 09-13-2017 Termination of Parental Rights

OCCD CA 09-13-2017 Notice of Appeal & Circuit Court Docket Entries

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OCCD CA 09-13-2017 X Transfer

OCCD CA 09-08-2017 Notice of Appeal filed in Cir. Ct.

OCCD CA 08-14-2017 Sua Sponte

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?

OCCD CA 08-10-2017 Mot. Extend Time to file NAP/PCM

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)

OCCD CA 07-26-2017 Order of Circuit Court

OCCD CA 07-25-2017 Mot. Extend Time to file NAP/PCM

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.

OCCD CA 07-25-2017 Mot. Extend Time to file NAP/PCM

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.

OCCD CA 06-22-2017 Court Order

ORD that CR Shelley Bertermann shall,no later than June 29, 2017, file a status report regarding preparation of the transcripts of proceedings in this matter.
See XPT event filed on 6-20-2017

OCCD CA 06-20-2017 Motion to Compel Production/Service of Transcripts

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).

OCCD CA 09-08-2016 Mot. Extend Time to file Transcript

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).
