

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Thornon F. Talley**

**Appeal Number 2013AP000950**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-14-2017		Remittitur
OCCD	SC	03-13-2017		Briefs Received At State Law Library Comment: Add'l Authorities and Rsp. to Add'l Authorities
OCCD	SC	03-09-2017		Cites 891 N.W.2d 390
OCCD	SC	03-09-2017		Cites 373 Wis. 2d 610
OCCD	SC	03-09-2017		<a href="#">Opinion/Decision</a> Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Affirmed Pages: 24 Written by: Bradley, Rebecca Grassl Abrahamson, Shirley S. Wrote Concurring Opinion 7 pages. Ziegler, Annette K. Wrote Concurring Opinion 3 pages. Bradley, Ann Walsh Joined Concurring Opinion Gableman, Michael J. Joined Concurring Opinion Order Text: The decision of the court of appeals is affirmed.
OCCD	SC	03-08-2017		Public Domain Citation Comment: PDC No: 2017 WI 21
OCCD	SC	03-06-2017		Rsp. to Add'l/Supplemental Authorities Comment: filed by AAG O'Brien, on behalf of respondent
OCCD	SC	03-06-2017		Additional Authorities Comment: filed by Attorney Karpe, on behalf of petitioner
OCCD	SC	11-16-2016		Letter/Correspondence

Comment: from Attorney Karpe requesting that Attorney Fink be mentioned as participating as he helped prepare the brief

---

OCCD SC	11-10-2016	Oral Argument
Comment: 1st case, 9:45 a.m.; Atty David Karpe for Res-App-Pet, Atty Daniel O'Brien for Pet-Res		

---

OCCD SC	10-04-2016	Briefs Received At State Law Library
---------	------------	--------------------------------------

---

OCCD SC	09-23-2016	Reply Brief-Supreme Court <a href="#">Reply Brief-Supreme Court</a>
Filed By: David Karpe		

---

OCCD SC	09-12-2016	Motion to Extend Time
Filed By: David Karpe		
Submit Date: 9-12-2016		
Decision: (G) Grant		
Decision Date: 9-12-2016		
ORD that the motion is granted. Respondent-appellant-petitioner's reply brief shall be served and filed on or before 9/23/16.		
See BR3 event due on 9-23-2016		

---

OCCD SC	08-31-2016	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>
Filed By: 10264 (O'Brien, Daniel)		

---

OCCD SC	08-29-2016	Briefs Received At State Law Library
Comment: First Brief - Supreme Court		

---

OCCD SC	08-12-2016	Response
Comment: 10 add'l copies of brief previously filed by each party in the court of appeals		

---

OCCD SC	08-12-2016	First Brief-Supreme Court <a href="#">First Brief-Supreme Court</a>
Filed By: David Karpe		
Comment: Appx to First Brief-Supreme Court		

---

OCCD SC	08-11-2016	Assigned-Oral Argument
---------	------------	------------------------

---

OCCD SC	07-13-2016	Motion to Extend Time
Filed By: David Karpe		
Submit Date: 7-14-2016		
Decision: (G) Grant		
Decision Date: 7-14-2016		
ORD that the motion is granted. Respondent-appellant-petitioner's brief shall be served and filed on or before August 12, 2016.		
See BR1 event due on 8-12-2016		

---

OCCD SC	06-22-2016	Other Papers
Comment: Letter from Atty. Karpe regarding oral argument dates; submitted to S. Ct.		
OCCD SC	06-16-2016	Caption Amended
OCCD SC	06-15-2016	Court Changed to Supreme Court
OCCD SC	03-07-2016	Court Order
ORD that the petitioner-respondent, State of Wisconsin, is directed to file a response to the petition for review on or before March 21, 2016. The response should address, inter alia, whether there is legal authority for requiring that a new historical fact in a discharge petition or in a supporting expert report qualify as a "significant change" from the facts considered at a prior commitment hearing or discharge hearing.		
OCCD SC	11-18-2015	Fee Waived
Comment: SPD appointed		
OCCD SC	11-18-2015	Petition for Review
Filed By: David Karpe Submit Date: 12-1-2015 Decision: (G) Grant Decision Date: 6-15-2016 ORD that the petition for review is granted. Briefs/Statements 30/20/10 FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review. Motion Response Filed By: 10264 (O'Brien, Daniel) Submit Date: 12-1-2015 Motion Response Filed By: 10264 (O'Brien, Daniel) Submit Date: 3-23-2016		
OCCD CA	10-19-2015	<a href="#">Opinion/Decision</a>
Judge Panel: Higginbotham, Lundsten, Sherman Opinion: Summary Disposition Decision: Affirmed Pages: 4 Order Text: IT IS ORDERED that the order is summarily affirmed. See Wis. Stat. Rule 809.21.		
OCCD CA	06-12-2015	Submitted on Briefs
OCCD CA	05-18-2015	Briefs Received At State Law Library
Comment: Not retained at law library		
OCCD CA	05-06-2015	Other Papers
Comment: Erratum Re: Respondent-Appellant's Brief-in-Chief; submitted to District IV		
OCCD CA	05-04-2015	Record and Briefs Sent to District 4

OCCD CA 04-30-2015

Reply Brief  
[Reply Brief](#)

Filed By: David Karpe

Comment: Received 10 additional copies of BRY for SC use. 07/13/16 KK

---

OCCD CA 04-13-2015

Motion to Extend Time

Filed By: David Karpe

Submit Date: 4-13-2015

Decision: (G) Grant

Decision Date: 4-14-2015

ORD that the time to file the reply brief is extended to April 30, 2015.

See BRY event due on 4-30-2015

---

OCCD CA 03-25-2015

Brief of Respondent(s)  
[Brief of Respondent](#)

Filed By: 10264 (O'Brien, Daniel)

Comment: Received 10 additional copies of BRS for SC use. 7/8/16ab Appx to Brief of Respondent(s)

---

OCCD CA 02-24-2015

Hold Status

---

OCCD CA 02-17-2015

Motion for Miscellaneous Relief

Filed By: David Karpe

Submit Date: 2-17-2015

Decision: (G) Grant

Decision Date: 2-24-2015

ORD that the State's brief shall be due March 25, 2015.

Comment: Reinstate Briefing Schedule

---

OCCD CA 01-28-2015

Sua Sponte

Filed By: Unassigned District 4

Submit Date: 1-28-2015

Decision: (O) Other

Decision Date: 1-30-2015

ORD that this appeal is stayed pending until either the supreme court issues a decision following granting the petition for review in appeal number 2013AP492 or the supreme court denies the petition in that case. The appellant shall inform us within twenty days of a decision or order denying the petition in that appeal how he intends to proceed in this one.

Comment: Response to CTO 1/21/15

---

OCCD CA 01-26-2015

Hold Status

---

OCCD CA 01-09-2015

Court Order

ORD that within fourteen days of the date of this order the appellant shall inform us how he wants to proceed in this appeal.

See SUA event filed on 1-6-2015

---

OCCD CA 01-06-2015

Sua Sponte

Filed By: Unassigned District 4

Submit Date: 1-6-2015

Decision: (O) Other

Decision Date: 1-21-2015

ORD that unless the State makes a request, the briefing schedule shall resume January 26, 2015, and the respondent's brief shall be filed within thirty days of that date.

Motion Response

Filed By: David Karpe

Submit Date: 1-14-2015

This motion contains court order(s).

Comment: no response rec'd to CTO 11/12/13

---

OCCD CA 02-20-2014

Response

Comment: see CTP 12/27/13; circuit court record in 13AP492 & 13AP950 returned to Dane County Circuit Court. Record shall be returned to this court within 5 days after the circuit court decision. See supplemental briefing schedule. 2/20/14 records returned from cir. ct.

---

OCCD CA 12-18-2013

Motion for Miscellaneous Relief

Filed By: Anthony Rios

Submit Date: 12-19-2013

Decision: (G) Grant

Decision Date: 12-27-2013

ORD that the record in these appeals shall be returned to the circuit court. The record shall be returned to this court within five days of the circuit court's decision on Talley's November 14, 2013 petition for discharge.

FRO that the stay in appeal number 2013AP492 shall continue until the record is returned to this court.

FRO that, within thirty days of the date the record is returned to this court, the appellant shall file a supplemental brief addressing the supreme court's decision in Milwaukee County v. Mary F.-R., 2013 WI 92. The State shall file a supplemental respondent's brief within thirty days of the filing of the appellant's supplemental brief. The appellant shall file a supplemental reply brief, if any, within fifteen days of filing of the State's supplemental brief.

Comment: Motion for Temporary Return of Court Record to Circuit Court

---

OCCD CA 11-25-2013

Interim Motion for Reconsideration

Filed By: David Karpe

Submit Date: 11-25-2013

Decision: (D) Deny

Decision Date: 11-27-2013

ORD that the motion for reconsideration is denied.

Comment: Motion to Reconsider Stay of Appeal

---

OCCD CA 11-07-2013

Motion for Stay

Filed By: 10264 (O'Brien, Daniel)

Submit Date: 11-8-2013

Decision: (G) Grant

Decision Date: 11-12-2013

ORD that this appeal shall be held in abeyance pending the release of a decision in Appeal No.

2013AP492. Talley shall inform this court within twenty days after a decision has been issued in that appeal how he intends to proceed on this one.

FRO that the motion to supplement the record is denied as unnecessary. The clerk of this court shall cross-reference and retain the records from 2011AP1287 and 2013AP492 until this appeal has been decided.

Comment: Stay Briefing and Decision Pending Court's Decision in Appeal No. 2013AP492

OCCD CA	10-24-2013	Attorney Change
Comment: Notice of Appearance for State of Wisconsin; delete AAG Weber & Latorraca; add AAG O'Brien		
OCCD CA	10-16-2013	Brief & Appx of Appellant(s) <a href="#">Brief of Appellant</a>
Filed By: David Karpe		
Comment: Received 10 additional copies of BAP for SC use. 07/13/16. KK Appx to Brief of Appellant(s)		
OCCD CA	10-15-2013	Motion to Correct/Supplement Record
Filed By: David Karpe		
Submit Date: 10-29-2013		
Decision: (D) Deny		
Decision Date: 11-12-2013		
ORD that this appeal shall be held in abeyance pending the release of a decision in Appeal No. 2013AP492. Talley shall inform this court within twenty days after a decision has been issued in that appeal how he intends to proceed on this one.		
FRO that the motion to supplement the record is denied as unnecessary. The clerk of this court shall cross-reference and retain the records from 2011AP1287 and 2013AP492 until this appeal has been decided.		
OCCD CA	10-04-2013	Motion to Extend Time
Filed By: David Karpe		
Submit Date: 10-7-2013		
Decision: (G) Grant		
Decision Date: 10-9-2013		
ORD that the time to file the appellant's brief is extended to October 16, 2013.		
See BAP event due on 10-16-2013		
OCCD CA	09-12-2013	Motion to Extend Time
Filed By: David Karpe		
Submit Date: 9-12-2013		
Decision: (G) Grant		
Decision Date: 9-17-2013		
ORD that the time to file the appellant's brief is extended to October 4, 2013.		
See BAP event due on 10-4-2013		
OCCD CA	08-15-2013	Motion to Extend Time
Filed By: David Karpe		
Submit Date: 8-16-2013		
Decision: (G) Grant		
Decision Date: 8-26-2013		
ORD that the extension motion is granted. The time to file the appellant's brief is hereby extended to September 12, 2013.		
See BAP event due on 9-12-2013		
OCCD CA	07-01-2013	Motion to Extend Time
Filed By: David Karpe		

Submit Date: 7-1-2013

Decision: (G) Grant

Decision Date: 7-5-2013

ORD that the extension motion is granted. The time to file the appellant's brief is hereby extended to August 15, 2013.

See BAP event due on 8-15-2013

---

OCCD CA 05-24-2013 Record  
Comment: 278-1 to 280-1 (Items 1 to 277 transferred from 13AP492); 2 jackets and 2 separate boxes (combined to 1 box upon remittitur)

---

OCCD CA 05-10-2013 Motion to Consolidate  
Filed By: David Karpe  
Submit Date: 5-14-2013  
Decision: (D) Deny  
Decision Date: 5-16-2013  
ORD that the motion to consolidate is denied.  
FRO that the time to file the appellant's brief in each appeal shall be July 1, 2013.  
Comment: [2013AP000492, 2013AP000950]

---

OCCD CA 05-01-2013 Statement on Transcript  
Filed By: David Karpe  
Status: Prev. Filed

---

OCCD CA 04-24-2013 Notif. Sent-Filing of NAP & Ct. Record

---

OCCD CA 04-24-2013 Fee Waived  
Comment: SPD appointed

---

OCCD CA 04-24-2013 Notice of Appeal & Circuit Court Docket Entries

---

OCCD CA 04-24-2013 X Transfer

---

OCCD CA 04-23-2013 Received SPD Appointment Order

---

OCCD CA 04-22-2013 Notice of Appeal filed in Cir. Ct.

---

OCCD CA 03-11-2013 Miscellaneous Motion on XX-Case  
Filed By: David Karpe  
Submit Date: 3-14-2013  
Decision: (G) Grant  
Decision Date: 3-15-2013  
ORD that the transmittal of the case record to counsel for Thornon Talley shall be deemed timely, and the deadline to file a notice of appeal or postdisposition motion from the order denying Talley's discharge petition shall be extended to April 22, 2013.  
Comment: MXT for Appeal from August 22, 2012 Order Denying Discharge Trial

---

OCCD CA 08-22-2012 Order of Circuit Court

