

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Andre L. Scott**

**Appeal Number 2016AP002017 - CR**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	07-25-2018		Remittitur
OCCD	SC	06-20-2018		Published Opinion Citation
		382 Wis. 2d 476		
OCCD	SC	06-20-2018		Published Opinion Citation
		914 N.W.2d 141		
OCCD	SC	06-20-2018		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Reversed and remanded Pages: 18 Written by: Abrahamson, Shirley S. Order Text: The order of the circuit court is reversed and the cause remanded. Comment: Opinion/Decision		
OCCD	SC	06-18-2018		Public Domain Citation
		Comment: PDC No: 2018 WI 74		
OCCD	SC	03-14-2018		Oral Argument
		Comment: 1st case, 9:45 a.m.; Colleen Ball for Def-App-Pet; Luke Berg for Pla-Resp		
OCCD	SC	01-12-2018		Assigned for Oral Argument
OCCD	SC	01-11-2018		Briefs Received At State Law Library
OCCD	SC	01-08-2018		Certificate of Filing by Mail
		Comment: BR3 01/05/18		
OCCD	SC	01-08-2018		Reply Brief-Supreme Court
				<a href="#">Reply Brief-Supreme Court</a>
		Filed By: Colleen Ball		

OCCD SC	12-21-2017	Briefs Received At State Law Library
OCCD SC	12-18-2017	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>
	Filed By: Luke Berg	
OCCD SC	12-11-2017	Other Papers
	Comment: copy, defense counsel's motion for competency evaluation filed in circuit court	
OCCD SC	12-08-2017	Briefs Received At State Law Library
OCCD SC	12-07-2017	Letter/Correspondence
	Comment: rcv'd from Atty. Ball stating a motion for competency evaluation has been filed in Milwaukee County Circuit Court.	
OCCD SC	12-07-2017	Letter/Correspondence
	Comment: From Clerk's Office to counsel: pursuant to 12/6/17 CTO, OA removed from court's January 2018 calendar.	
OCCD SC	11-16-2017	Motion for Miscellaneous Relief
	Filed By: Luke Berg	
	Submit Date: 11-17-2017	
	Decision: (D) Deny	
	Decision Date: 12-6-2017	
	IT IS ORDERED that the States motion for summary vacatur is denied;	
	IT IS FURTHER ORDERED that the States request that the court appoint new counsel to defend the medication order is also denied;	
	IT IS FURTHER ORDERED that the State is directed to file its response brief, addressing the three issues raised in Scotts opening brief, on or before December 18, 2017;	
	IT IS FURTHER ORDERED that Scott shall file his reply brief on or before January 6, 2018; and	
	IT IS FURTHER ORDERED that this case shall be removed from the January 17, 2018 oral argument calendar and shall be re-calendared in due course.	
	Motion Response	
	Filed By: Colleen Ball	
	Submit Date: 11-27-2017	
	Motion Response	
	Filed By: Luke Berg	
	Submit Date: 11-29-2017	
	Comment: Summary Vacatur	
OCCD SC	10-23-2017	Response
	Comment: 17addtnl. copies CA brief for SC use per 9/12/17 CTO	
OCCD SC	10-20-2017	Motion to Extend Time
	Filed By: Ryan Walsh	
	Submit Date: 10-23-2017	
	Decision: (G) Grant	

Decision Date: 10-24-2017

ORD that the motion is granted. The State's response brief shall be served and filed on or before November 27, 2017.

See BR2 event due on 11-27-2017

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OCCD SC 10-19-2017 Certificate of Filing by Mail  
Comment: BR1 10/18/17

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OCCD SC 10-19-2017 [First Brief-Supreme Court](#)  
[First Brief-Supreme Court](#)  
Comment: Appendix to First Brief-Supreme Court

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OCCD SC 10-12-2017 Attorney Change  
Comment: DSG Berg appears for Office of the Solicitor General

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OCCD SC 10-12-2017 Letter/Correspondence  
Comment: Deputy Soliciter General Luke Berg advises case has been transferred to Office of the Solicitor General

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OCCD SC 09-18-2017 Supplement to Record  
Comment: 95-2 to 98-1 (ELECTRONICALLY FILED)

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OCCD SC 09-14-2017 Motion for Miscellaneous Relief  
Filed By: Colleen Ball  
Submit Date: 9-15-2017  
Decision: (G) Grant  
Decision Date: 9-18-2017  
ORD that the motion to file new briefs is granted;  
FRO that w/in 30 days after the date of this order the appellant must file a brief in this court; that w/in 20 days of filing the respondent must file a brief; and that w/in 10 days of filing the appellant must file either a reply brief or a statement that no reply brief will be filed;  
FRO that the parties will be notified on the date and time for oral argument in this appeal in due course.  
Comment: file substitute briefs

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OCCD SC 09-12-2017 Court Changed to Supreme Court

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OCCD CA 09-12-2017 Hold Status

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OCCD CA 09-12-2017 [Reply Brief](#)  
[Reply Brief](#)  
Filed By: Colleen Ball  
Comment: Brief received June 1, 2017. Appeal has been on hold pending petition for bypass. Reply Brief

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OCCD SC 06-14-2017 Motion for Miscellaneous Relief  
Filed By: Maura Whelan  
Submit Date: 6-15-2017

Decision: (G) Grant

Decision Date: 6-15-2017

IT IS ORDERED that the motion is granted. Plaintiff-respondent's response shall be served and filed on or before June 16, 2017.

Comment: ext time to respond to petition to bypass

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OCCD SC 05-31-2017

Motion to Correct/Supplement Record

Filed By: Colleen Ball

Submit Date: 6-19-2017

Decision: (G) Grant

Decision Date: 9-12-2017

ORD that the motion to supplement the record is granted; and

FRO that the clerk of circuit court shall, w/in 10 days of the date of this order, transmit the May 22, 2017 order and the May 8, 2017 hearing transcript in Milwaukee County Circuit Court Case No. 2009CF136 to the clerk of this court by supplemental return; and

FRO that the petition to bypass is granted and the appeal is accepted for consideration in this court; and

FRO that the briefs previously submitted by the parties to the court of appeals may stand as the parties' briefs in this court. The parties shall submit 17 additional copies of their briefs w/in 10 days of the date of this order. The parties will be notified of the date and time for oral argument in this appeal in due course

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OCCD SC 05-31-2017

Petition to Bypass

Filed By: Colleen Ball

Submit Date: 6-19-2017

Decision: (G) Grant

Decision Date: 9-12-2017

ORD that the motion to supplement the record is granted; and

FRO that the clerk of circuit court shall, w/in 10 days of the date of this order, transmit the May 22, 2017 order and the May 8, 2017 hearing transcript in Milwaukee County Circuit Court Case No. 2009CF136 to the clerk of this court by supplemental return; and

FRO that the petition to bypass is granted and the appeal is accepted for consideration in this court; and

FRO that the briefs previously submitted by the parties to the court of appeals may stand as the parties' briefs in this court. The parties shall submit 17 additional copies of their briefs w/in 10 days of the date of this order. The parties will be notified of the date and time for oral argument in this appeal in due course

Motion Response

Filed By: Maura Whelan

Submit Date: 6-19-2017

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OCCD CA 05-17-2017

Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: Maura Whelan

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OCCD CA 05-03-2017

Motion to Extend Time

Filed By: Maura Whelan

Submit Date: 5-4-2017

Decision: (G) Grant

Decision Date: 5-5-2017

IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to May 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRS event due on 5-17-2017

Comment: 2

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OCCD CA 04-03-2017 Motion to Extend Time  
Filed By: Maura Whelan  
Submit Date: 4-4-2017  
Decision: (G) Grant  
Decision Date: 4-5-2017  
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to May 3, 2017.  
See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BRS event due on 5-3-2017

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OCCD CA 03-28-2017 Attorney Change  
Comment: per notice of appearance un-withdrew AAG Maura FJ Whelan as counsel for the State.

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OCCD CA 03-03-2017 Certificate of Filing by Mail  
Comment: BAP 03/01/17

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OCCD CA 03-03-2017 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Colleen Ball  
Comment: Appendix to Brief of Appellant(s)

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OCCD CA 01-31-2017 Motion to Extend Time  
Filed By: Colleen Ball  
Submit Date: 1-31-2017  
Decision: (G) Grant  
Decision Date: 2-2-2017  
IT IS ORDERED that the time for the appellant to an appellant's brief is extended until March 1, 2017.  
See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 3-1-2017

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OCCD CA 01-31-2017 Attorney Change  
Comment: Per notice from WI SPD, withdrew Atty. John Breffeilh, added Atty. Colleen D. Ball.

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OCCD CA 01-18-2017 Motion to Extend Time  
Filed By: John Breffeilh  
Submit Date: 1-19-2017  
Decision: (G) Grant  
Decision Date: 1-23-2017  
IT IS ORDERED that the deadline for Scott to file his appellant's brief and appendix is extended to February 1, 2017.  
See BAP event due on 2-1-2017

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OCCD CA 01-09-2017 Attorney Change  
Comment: AAG Whelan removed from case per phone call from DOJ

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OCCD CA 12-07-2016 Sealed Documents  
Comment: #10

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OCCD CA	12-07-2016	Record
Comment: 1-3 to 94-1 (ELECTRONICALLY FILED)		
OCCD CA	11-02-2016	Delinquent
Comment: New due date of connected SRT: 11-9-2016		
OCCD CA	10-19-2016	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	10-19-2016	Fee Waived
Comment: SPD		
OCCD CA	10-19-2016	X Transfer
OCCD CA	10-18-2016	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	10-13-2016	Docketing Statement from Appellant
OCCD CA	10-13-2016	State Public Defender Order Appointing Counsel
OCCD CA	10-11-2016	Statement on Transcript
Filed By: John Breffeilh		
Status: Prev. Filed		
Comment: 11/8/16 received another faxed SRT in response to DLQ notice		
OCCD CA	10-11-2016	Motion for Miscellaneous Relief
Filed By: John Breffeilh		
Submit Date: 10-11-2016		
Decision: (O) Other		
Decision Date: 10-14-2016		
IT IS ORDERED that the motion for relief pending appeal is denied. IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal pertaining to the underlying criminal judgment of conviction is extended until thirty days after this appeal is decided.		
Comment: ext. postconviction deadline pending appeal		
OCCD CA	10-11-2016	Motion to Stay
Filed By: John Breffeilh		
Submit Date: 10-11-2016		
Decision: (D) Deny		
Decision Date: 10-14-2016		
IT IS ORDERED that the motion for relief pending appeal is denied. IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal pertaining to the underlying criminal judgment of conviction is extended until thirty days after this appeal is decided.		
Comment: Motion for Stay pending Appeal		
OCCD CA	10-10-2016	Notice of Appeal filed in Circuit Court
OCCD CA	09-02-2016	Order of Circuit Court

