

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. X.S.

Appeal Number 2021AP000419

**CONFIDENTIAL**  
Supreme Court

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-08-2022		Remittitur
OCCD	SC	06-29-2022		Published Opinion Citation
		402 Wis. 2d 481		
OCCD	SC	06-29-2022		Published Opinion Citation
		976 N.W.2d 425		
OCCD	SC	06-29-2022		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Modified and Affirmed. Pages: 34 Written by: Ziegler, Annette K. Ziegler, Annette K. Wrote Concurring Opinion 8 pages. Roggensack, Patience Drake Joined Concurring Opinion Bradley, Rebecca Grassl Joined Concurring Opinion Hagedorn, Brian K. Wrote Dissenting Opinion 16 pages. Bradley, Ann Walsh Joined Dissenting Opinion Dallet, Rebecca F. Joined Dissenting Opinion Order Text: By the Court. - The decision of the court of appeals is modified and affirmed and, as modified, the cause remanded to the circuit court.		
OCCD	SC	06-28-2022		Public Domain Citation
		Comment: PDC No: 2022 WI 49		
OCCD	SC	03-09-2022		Oral Argument
		Comment: at 9:45, second case (in the Capitol Hearing Room). Christopher P. August for Respondent-Respondent-Petitioner. Lisa E.F. Kumber for Petitioner-Appellant.		
OCCD	SC	03-02-2022		Order
		IT IS ORDERED that the respondent-respondent-petitioner, X.S., is directed to file a response to the motion to dismiss by 12:00 noon on Friday, March 4, 2022. The response shall be filed as an attachment in .pdf format to an email addressed to clerk@wicourts.gov. See Wis. Stat. 809.14, 809.80,		

and 809.81. A paper original and 10 copies of each filed document must be received by the clerk of this court by 4:00 p.m. of the business day following submission by email, with the document bearing the following notation on the top of the first page: "This document was previously filed via email."  
Comment: Court Order 3/2/2022

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OCCD SC 03-01-2022 Motion to Dismiss  
Filed By: Lisa Kumfer  
Submit Date: 3-1-2022  
Decision: (D) Deny  
Decision Date: 3-7-2022  
IT IS ORDERED that the motion to summarily dismiss this case as moot is denied. Oral argument will proceed as scheduled.  
Motion Response  
Filed By: Christopher August  
Submit Date: 3-3-2022

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OCCD SC 01-27-2022 Briefs Received At State Law Library

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OCCD SC 01-20-2022 Assigned for Oral Argument

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OCCD SC 01-14-2022 First Brief-Supreme Court  
Filed By: Christopher August  
Comment: Per 1/14/22 CTO - Replacement Brief will replace the brief filed November 12, 2021.

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OCCD SC 01-13-2022 Sua Sponte  
Filed By: Unassigned District 1  
Submit Date: 1-13-2022  
Decision: (G) Grant  
Decision Date: 1-14-2022  
IT IS ORDERED that the replacement brief is accepted for filing and will replace the brief filed on November 12, 2021.

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OCCD SC 12-15-2021 Certificate of Filing by Mail  
Comment: Supreme Court Reply brief 22 copies mailed 12-14-2021.

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OCCD SC 12-15-2021 Reply Brief-Supreme Court  
Filed By: Christopher August

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OCCD SC 12-02-2021 Response Brief-Supreme Court  
Filed By: Lisa Kumfer

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OCCD SC 11-12-2021 Certificate of Filing by Mail  
Comment: BR1 COM- BR1

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OCCD SC 11-12-2021 Letter/Correspondence  
Comment: Letter- Cover letter filing BR1

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OCCD SC	11-12-2021	First Brief-Supreme Court
	Comment: REPLACEMENT BRIEF FILED 1/13/22	
OCCD SC	10-19-2021	Caption Amended
OCCD SC	10-18-2021	Court Changed to Supreme Court
OCCD SC	09-01-2021	Letter/Correspondence
	Comment: Cover letter filing motion to allow access to sealed documents Court Order dated 9/3/2021	
OCCD SC	09-01-2021	Motion for Miscellaneous Relief
	<p>Filed By: Lisa Kumfer  Submit Date: 9-2-2021  Decision: (O) Other  Decision Date: 9-3-2021  IT IS ORDERED that the motion for access to sealed documents is granted. The Clerk of the Court of Appeals shall make record documents 13 through 19 available to the Attorney Generals office, for review and copying.  IT IS FURTHER ORDERED that the motion for an extension of time to file a response to the petition for review is granted. The State of Wisconsin shall file its response on or before September 17, 2021.  Comment: Allow access to sealed documents/ ext. time to file response to petition for review</p>	
OCCD CA	08-25-2021	Published Opinion Citation
	399 Wis. 2d 323	
OCCD CA	08-25-2021	Published Opinion Citation
	964 N.W.2d 553	
OCCD CA	08-25-2021	Opinion Ordered Unpublished
OCCD SC	08-20-2021	Letter/Correspondence
	Comment: Cover letter filing motion to ext. time to respond to PRE Letter- Cover letter filing motion to ext. time to respond to PRE Letter/Correspondence	
OCCD SC	08-20-2021	Motion for Miscellaneous Relief
	<p>Filed By: Lisa Kumfer  Submit Date: 8-23-2021  Decision: (G) Grant  Decision Date: 8-24-2021  IT IS ORDERED that the motion is granted. The response shall be filed by September 10, 2021.  Comment: ext. time to respond to petition for review</p>	
OCCD CA	08-16-2021	Notice of Appearance
	Comment: AAG Kumfer appears for State per ltr. of representation	
OCCD SC	08-12-2021	Fee Waived

Comment: SPD

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OCCD SC 08-11-2021 Petition for Review

Filed By: Christopher August  
Submit Date: 9-16-2021  
Decision: (G) Grant  
Decision Date: 10-18-2021  
ORD petition for review is granted. Briefs due 30/20/10.  
Motion Response  
Filed By: Lisa Kumfer  
Submit Date: 9-16-2021

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OCCD CA 07-29-2021 Motion for Reconsideration

Filed By: Christopher August  
Submit Date: 7-29-2021  
Decision: (D) Deny  
Decision Date: 7-30-2021  
IT IS ORDERED that the motion for reconsideration is denied.

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OCCD CA 07-20-2021 [Opinion/Decision](#)

Judge Panel: Dugan  
Opinion: Opinion  
Decision: Reversed and remanded Pages: 16  
Order Text: Order reversed and cause remanded with directions

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OCCD CA 06-24-2021 Submitted on Briefs

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OCCD CA 06-23-2021 Record and Briefs Sent to District 1

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OCCD CA 06-16-2021 Motion to Extend Time

Filed By: Gilbert Urfer  
Submit Date: 6-16-2021  
Decision: (G) Grant  
Decision Date: 6-22-2021  
IT IS ORDERED the deadline for filing the reply brief is extended until June 23, 2021.  
See BRY event due on 6-23-2021

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OCCD CA 06-16-2021 Reply Brief

Filed By: Gilbert Urfer

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OCCD CA 06-04-2021 Motion for Miscellaneous Relief

Filed By: Christopher August  
Submit Date: 6-4-2021  
Decision: (G) Grant  
Decision Date: 6-8-2021  
IT IS ORDERED that the deadline for filing a respondents brief is extended to June 4, 2021.  
Comment: Ext. time to file brief of respondent, brief was accepted 6/4 after 3rd e filing

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OCCD CA 06-04-2021 Brief of Respondent(s)

OCCD CA 05-19-2021 Brief & Appendix of Appellant(s)  
Filed By: Gilbert Urfer

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OCCD CA 05-13-2021 Motion for Miscellaneous Relief  
Filed By: Tammy Kruczynski  
Submit Date: 5-13-2021  
Decision: (N) No Action  
Decision Date: 5-14-2021  
No action. Duplicate of previous motion.  
Comment: MXT to file Record Supplement

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OCCD CA 05-12-2021 Motion to Extend Time  
Filed By: Gilbert Urfer  
Submit Date: 5-12-2021  
Decision: (G) Grant  
Decision Date: 5-13-2021  
IT IS ORDERED that the deadline for the State to file its brief is extended through May 14, 2021. See WIS. STAT. RULE 809.82(2)(a) (2019-20).  
See BAP event due on 5-14-2021

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OCCD CA 05-12-2021 Sealed Documents

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OCCD CA 05-12-2021 Record  
Comment: 1-1 to 40-1 ELECTRONICALLY FILED

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OCCD CA 05-11-2021 Motion to Extend Time  
Filed By: Tammy Kruczynski  
Submit Date: 5-11-2021  
Decision: (N) No Action  
Decision Date: 5-12-2021  
No action.  
See REC event due on 5-12-2021

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OCCD CA 04-19-2021 State Public Defender Order Appointing Counsel  
Comment: for SPD Christopher P. August

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OCCD CA 04-01-2021 Notice of Reporter RE: Filing of Transcript(s)  
Court Reporter Name: (Evert, Denise)  
Comment: CRS NOT FILED - 2/25/21 TRANSCRIPTS FILED 3/5/21 AND 3/18/21 PER TC CLERK

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OCCD CA 04-01-2021 Notice of Reporter RE: Filing of Transcript(s)  
Court Reporter Name: (Maciolek, Pauline)  
Comment: CRS NOT FILED - 2/16/21 TRANSCRIPT FILED 3/22/21 PER TC CLERK

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OCCD CA 03-26-2021 Motion for Clarification

Filed By: Gilbert Urfer  
Submit Date: 3-29-2021  
Decision: (D) Deny  
Decision Date: 4-20-2021  
IT IS ORDERED that the motion for clarification is denied at this time.  
Comment: Identification of records necessary for appeal

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OCCD CA 03-26-2021 Statement on Transcript  
Filed By: Gilbert Urfer  
Status: Ordered

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OCCD CA 03-22-2021 Transcript filed in Circuit Court

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OCCD CA 03-22-2021 Notif. Sent-Filing of LVO & Court Record

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OCCD CA 03-22-2021 Copy of Order Granting Leave - from Cir. Ct.  
Comment: Transmittal [Copy of CTO Grtg. PLV-from Cir. Ct.]

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OCCD CA 03-18-2021 Transcript filed in Circuit Court

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OCCD CA 03-16-2021 Copy of CTO Grtg. PLV Filed in Cir. Ct.

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OCCD CA 03-12-2021 Caption Amended

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OCCD CA 03-12-2021 Motion for Miscellaneous Relief  
Filed By: Gilbert Urfer  
Submit Date: 3-12-2021  
Decision: (G) Grant  
Decision Date: 3-12-2021  
IT IS ORDERED that the deadline for the State to file a petition for leave to appeal from the circuit courts February 25, 2021 order is extended to March 12, 2021.  
Comment: MXT to file PLV w/ reference to sealed documents

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OCCD CA 03-12-2021 Petition for Leave to Appeal  
Filed By: Gilbert Urfer  
Submit Date: 3-12-2021  
Decision: (G) Grant  
Decision Date: 3-12-2021  
IT IS ORDERED that the petition is granted. Pursuant to Rule 809.11(2), Stats., the clerk of the circuit court or responsible court official shall return the copy of the order granting this petition and the circuit court case entries maintained pursuant to section 59.40, Stats., to the clerk of this court within 3 days of receipt of this order. Entry of this order has the effect of the filing of the notice of appeal, Rule 809.50(3), Stats., except as follows:  
The appellant need not file a docketing statement but shall immediately make all necessary arrangements for the preparation of the transcript of the waiver hearing and identify relevant portions of the record to enable the

clerk of circuit court to transmit the record to the clerk of this court within 45 days of the date of this order. To assure compliance with this order, the court reporter shall prepare, serve and file the transcript within 20 days of the date arrangements for preparation are made. Appellant shall serve a copy of this order on the court reporter. Appellant shall serve and file a brief, in compliance with Rule 809.19, addressing the merits of the issues pertaining to waiver within 45 days of the date of this order. IT IS FURTHER ORDERED that the respondent shall file a brief, in compliance with Rule 809.19, on the merits of the waiver issues within 15 days of service of the appellant's brief. Appellant may file a reply brief within seven days of service of the respondent's brief.

Motion Response  
Filed By: Gilbert Urfer  
Submit Date: 3-12-2021  
Comment: Appendix has full names

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OCCD CA 02-25-2021

Non-Final Order of Circuit Court

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