

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Corey R. Kucharski**

**Appeal Number 2013AP000557 - CR**

**Court of Appeals District 1**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	06-15-2016		Remittitur
OCCD	CA	04-27-2016		Published Opinion Citation
		369 Wis. 2d 71		
OCCD	CA	04-27-2016		Published Opinion Citation
		879 N.W.2d 808		
OCCD	CA	04-27-2016		Opinion Ordered Unpublished
OCCD	CA	04-05-2016		Letter/Correspondence
		Comment: Letter response to PRE filed by State.		
OCCD	CA	03-31-2016		Fee Waived
		Comment: SPT appointed		
OCCD	SC	03-31-2016		Petition for Review
		Filed By: Matthew Pinix		
		Submit Date: 4-6-2016		
		Decision: (D) Deny		
		Decision Date: 6-15-2016		
		IT IS ORDERED that the petition for review is denied, without costs.		
OCCD	CA	03-01-2016		<a href="#">Opinion/Decision</a>
		Judge Panel: Brennan, Kessler, Curley		
		Opinion: Opinion		
		Decision: Affirmed Pages: 20		
		Written by: Brennan, Kitty K.		
		Order Text: Judgment and order affirmed		
OCCD	CA	11-03-2015		Submitted on Briefs

OCCD CA 08-21-2015 Record  
Comment: 01-13 to 64-4

---

OCCD CA 08-21-2015 Order  
IT IS ORDERED that the August 11, 2015 remittitur to the circuit court is vacated.

---

OCCD SC 07-07-2015 Published Opinion Citation  
363 Wis. 2d 658

---

OCCD SC 07-07-2015 Published Opinion Citation  
866 N.W.2d 697

---

OCCD SC 07-07-2015 Court Changed to Court of Appeals

---

OCCD SC 07-07-2015 [Opinion/Decision](#)  
Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman  
Opinion: Opinion  
Decision: Remanded to Court of Appeals Pages: 27  
Written by: Crooks, N. Patrick  
Abrahamson, Shirley S. Joined Dissenting Opinion  
Bradley, Ann Walsh Wrote Dissenting Opinion 11 pages.  
Order Text: Reversed and Remanded

---

OCCD SC 07-02-2015 Public Domain Citation  
Comment: PDC No: 2015 WI 64

---

OCCD SC 03-10-2015 Oral Argument  
Comment: 1st case, 9:45 a.m. Atty Marguerite Moeller for PLA-RES-PET; Atty Matthew Pinix for DEF-APP

---

OCCD SC 03-04-2015 Briefs Received At State Law Library

---

OCCD SC 03-02-2015 Certificate of Service  
Comment: BAM

---

OCCD SC 03-02-2015 Certificate of Filing by Mail  
Comment: BAM (IB)

---

OCCD SC 02-27-2015 Brief of Amicus Curiae/Non-Party  
[Brief of Amicus Curiae-WI Ass'n of Criminal Defense Lawyers](#)  
Filed By: Melinda Swartz  
Comment: WI. Assn. of Criminal Defense Lawyers

---

OCCD SC 02-24-2015 Briefs Received At State Law Library

---

OCCD SC 02-17-2015 Motion to File Amicus/Non-Party Brief

Filed By: Melinda Swartz

Submit Date: 2-17-2015

Decision: (G) Grant

Decision Date: 2-18-2015

IT IS ORDERED the motion is granted. 22 copies of the brief shall be filed on or before 02/27/15.

Comment: WI. Assn. of Criminal Defense Lawyers

---

OCCD SC 02-17-2015 Reply Brief-Supreme Court  
[Reply Brief-Supreme Court](#)

Filed By: Marguerite Moeller

---

OCCD SC 02-11-2015 Briefs Received At State Law Library

---

OCCD SC 02-06-2015 Certificate of Filing by Mail

Comment: BR2 (IB)

---

OCCD SC 02-03-2015 Response Brief-Supreme Court  
[Response Brief-Supreme Court](#)

Filed By: Matthew Pinix

---

OCCD SC 01-22-2015 Briefs Received At State Law Library

---

OCCD SC 01-14-2015 First Brief-Supreme Court  
[First Brief-Supreme Court](#)

Filed By: Marguerite Moeller

Comment: First Brief-Supreme Court

---

OCCD SC 12-19-2014 Assigned for Oral Argument

---

OCCD SC 12-15-2014 Other Papers

Comment: Rec'd Status update from SPD, Per court, ok to reset brief due date

---

OCCD SC 11-25-2014 State Public Defender Order Appointing Counsel

Comment: Filed by SPD on behalf of M. S. Pinix, Counsel for Def-App

---

OCCD SC 11-03-2014 Response

Comment: 10 extra copies of CA briefs for SC

---

OCCD SC 10-31-2014 Motion to Withdraw as Counsel

Filed By: Scott Obernberger

Submit Date: 10-31-2014

Decision: (G) Grant

Decision Date: 11-3-2014

IT IS ORDERED that the motion to withdraw as counsel is granted; IT IS FURTHER ORDERED that the Office of the State Public Defender is ordered to appoint new counsel for Mr. Kucharski in this case and to give this court an update on the status of newly-appointed counsel on or before December 17, 2014; IT IS FURTHER ORDERED that the request for a 60-day extension of time for new counsel to review the case is held in abeyance; IT IS FURTHER ORDERED that all briefing in this matter is held in abeyance pending notification of appointed new counsel. AMENDED 11/04/2014  
Comment: due to medical condition

---

OCCD SC	10-14-2014	Motion to Extend Time
Filed By: Marguerite Moeller Submit Date: 10-14-2014 Decision: (G) Grant Decision Date: 10-21-2014 ORD that the motion is granted in part. Plaintiff-respondent-petitioner's brief shall be served and filed on or before November 7, 2014. No further extensions of time will be granted to this party. See BR1 event due on 11-7-2014		

---

OCCD SC	09-24-2014	Caption Amended
---------	------------	-----------------

---

OCCD SC	09-24-2014	Court Changed to Supreme Court
---------	------------	--------------------------------

---

OCCD CA	06-25-2014	Published Opinion Citation
848 N.W.2d 903		

---

OCCD CA	06-25-2014	Published Opinion Citation
354 Wis. 2d 622		

---

OCCD CA	06-25-2014	Opinion Ordered Unpublished
---------	------------	-----------------------------

---

OCCD SC	06-05-2014	Fee Waived
Comment: Filed by State		

---

OCCD SC	06-05-2014	Petition for Review
Filed By: Marguerite Moeller Submit Date: 6-24-2014 Decision: (G) Grant Decision Date: 9-24-2014 ORD PRE granted. Briefs/stmts 30/20/10. Motion Response Filed By: Scott Obernberger Submit Date: 6-24-2014 Comment: 06/23/14, Rec'd Response		

---

OCCD CA	05-06-2014	<a href="#">Opinion/Decision</a>
Judge Panel: Brennan, Kessler, Curley Opinion: Opinion Decision: Reversed and remanded Pages: 19 Written by: Curley, Patricia S.		

Brennan, Kitty K. Wrote Dissenting Opinion 4 pages.  
Order Text: Judgment and order reversed and cause remanded with directions.

---

OCCD CA 03-04-2014 Submitted on Briefs

---

OCCD CA 12-19-2013 Briefs Received At State Law Library

---

OCCD CA 12-03-2013 Record and Briefs Sent to District 1

---

OCCD CA 12-02-2013 [Reply Brief](#)  
[Reply Brief](#)

Filed By: Scott Obernberger

Comment: Corrected briefs were sent. Please note that the brief certification pursuant to Rule 809.19(8)(b) and (c) has been corrected on this brief. Please refer to rule 809.19 regarding the brief certification.: Received 10 additional copies of BRY for SC use. PS 10-6-14

---

OCCD CA 11-12-2013 Motion to Waive Filing Requirements

Filed By: Scott Obernberger

Submit Date: 11-13-2013

Decision: (D) Deny

Decision Date: 11-14-2013

IT IS ORDERED that the motion to exceed the word limit for a reply brief is denied. IT IS FURTHER ORDERED that the deadline for filing a reply brief is extended through December 2, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

Comment: to exceed word limits

---

OCCD CA 10-28-2013 Motion to Extend Time

Filed By: Scott Obernberger

Submit Date: 10-28-2013

Decision: (G) Grant

Decision Date: 10-29-2013

IT IS ORDERED the deadline for Kucharski to file a brief is extended through 11/08/13. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

See BRY event due on 11-8-2013

---

OCCD CA 10-10-2013 [Brief of Respondent\(s\)](#)  
[Brief of Respondent](#)

Filed By: Marguerite Moeller

Comment: Appx to Brief of Respondent(s): Received 10 copies of BRS for SC use. PS10-17-14

---

OCCD CA 09-24-2013 Motion to Extend Time

Filed By: Marguerite Moeller

Submit Date: 9-24-2013

Decision: (G) Grant

Decision Date: 9-25-2013

IT IS ORDERED the time for the respondent to file a respondent's brief is extended to 10/10/13. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

See BRS event due on 10-10-2013  
Comment: 2nd

---

OCCD CA 08-22-2013 Motion to Extend Time  
Filed By: Marguerite Moeller  
Submit Date: 8-22-2013  
Decision: (G) Grant  
Decision Date: 8-27-2013  
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to September 25, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12).  
See BRS event due on 9-25-2013

---

OCCD CA 08-08-2013 Attorney Change  
Comment: Withdrew Gregory M. Weber, AAG, added Marguerite M. Moeller, AAG.

---

OCCD CA 07-23-2013 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Scott Obernberger  
Comment: Separate Appendix Appx to Brief of Appellant(s), Received 10 additional copies of BAP for SC use. PS 10-6-14

---

OCCD CA 07-08-2013 Motion to Extend Time  
Filed By: Scott Obernberger  
Submit Date: 7-8-2013  
Decision: (G) Grant  
Decision Date: 7-10-2013  
IT IS ORDERED the deadline for Kucharski to file his appellant's brief and appendix is extended to July 23, 2013.  
See BAP event due on 7-23-2013

---

OCCD CA 05-28-2013 Record  
Comment: 1-13 to 64-4

---

OCCD CA 04-25-2013 Delinquent  
Comment: New due date of connected REC: 5-10-2013

---

OCCD CA 03-27-2013 Notice of Reporter RE: Filing of Transcript(s)  
Court Reporter Name: (Annen, Marilyn)

---

OCCD CA 03-20-2013 Transcript filed in Circuit Court

---

OCCD CA 03-20-2013 Notif. Sent-Filing of NAP & Ct. Record

---

OCCD CA 03-11-2013 Statement on Transcript  
Filed By: Scott Obernberger  
Status: Ordered

---

OCCD CA	03-11-2013	Notice of Appeal & Circuit Court Docket Entries
---------	------------	---

---

OCCD CA	03-11-2013	X Transfer
---------	------------	------------

---

OCCD CA	03-05-2013	State Public Defender Order Appointing Counsel
		Comment: for Atty. Scott D. Obernberger

---

OCCD CA	02-26-2013	Notice of Appeal filed in Circuit Court
---------	------------	---

---

OCCD CA	02-14-2013	Order of Circuit Court
---------	------------	------------------------

---

OCCD CA	02-13-2013	Mot. Extend Time to Decide Postconviction Motion
		Filed By: Scott Obernberger
		Submit Date: 2-13-2013
		Decision: (G) Grant
		Decision Date: 2-15-2013
		IT IS ORDERED that the deadline for the circuit court to decide Kucharski's postconviction motion is extended through May 1, 2013. See Wis. Stat. Rule 809.82(2)(a) (2011-12).
		Comment: 2d

---

OCCD CA	11-16-2012	Mot. Extend Time to Decide Postconviction Motion
		Filed By: Scott Obernberger
		Submit Date: 11-19-2012
		Decision: (G) Grant
		Decision Date: 11-20-2012
		IT IS ORDERED that the deadline for deciding the postconviction motion is extended until February 14, 2013.

---

OCCD CA	09-18-2012	Mot. Extend Time to file NAP/PCM
		Filed By: Scott Obernberger
		Submit Date: 9-18-2012
		Decision: (G) Grant
		Decision Date: 9-20-2012
		IT IS ORDERED that the deadline for Kucharski to file a postconviction motion or a notice of appeal is extended through November 2, 2012. See Wis. Stat. Rule 809.82(2)(a) (2009-10).
		Comment: 2d

---

OCCD CA	07-30-2012	Mot. Extend Time to file NAP/PCM
		Filed By: Scott Obernberger
		Submit Date: 7-31-2012
		Decision: (G) Grant
		Decision Date: 8-1-2012
		IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to September 18, 2012. See Wis. Stat. Rule 809.82(2)(a) (2009-10).

---

OCCD CA	12-16-2011	Judgment of Circuit Court
---------	------------	---------------------------

---