

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Brian A. Barwick**

**Appeal Number 2017AP000958 - CR**

**CONSOLIDATED** - [List of Consolidated Cases](#)  
Court of Appeals District 1

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	01-15-2019		Remittitur
OCCD	CA	10-31-2018		Published Opinion Citation
		921 N.W.2d 532		
OCCD	CA	10-31-2018		Published Opinion Citation
		384 Wis. 2d 414		
OCCD	CA	10-31-2018		Opinion Ordered Unpublished
OCCD	SC	10-11-2018		Letter/Correspondence
		Comment: State advises it opposes the petition for review, will not file formal response unless ordered by court		
OCCD	SC	10-05-2018		Fee Waived
		Comment: SPD		
OCCD	SC	10-05-2018		Petition for Review
		Filed By: James Walrath Submit Date: 10-12-2018 Decision: (D) Deny Decision Date: 1-15-2019 ORD that the petition for review is denied, without costs. REBECCA FRANK DALLET, J., did not participate.		
OCCD	CA	09-05-2018		<a href="#">Opinion/Decision</a>
		Judge Panel: Brash, Brennan, Kessler Opinion: Opinion Decision: Affirmed Pages: 21 Written by: Kessler, Joan F. Order Text: Judgments and order affirmed		

OCCD CA	05-01-2018	Submitted on Briefs
OCCD CA	04-20-2018	Briefs Received At State Law Library
OCCD CA	03-27-2018	Record and Briefs Sent to District 1
OCCD CA	03-26-2018	Certificate of Filing by Mail
	Comment: BRY	
OCCD CA	03-26-2018	Reply Brief <a href="#">Reply Brief</a>
	Filed By: James Walrath	
OCCD CA	03-07-2018	Motion to Extend Time
	Filed By: James Walrath	
	Submit Date: 3-8-2018	
	Decision: (G) Grant	
	Decision Date: 3-9-2018	
	ORD that the deadline for Barwick to file a reply brief is extended through March 26, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-26-2018	
	Comment: 2	
OCCD CA	02-28-2018	Additional Authorities
	Comment: filed by the State.	
OCCD CA	02-09-2018	Motion to Extend Time
	Filed By: James Walrath	
	Submit Date: 2-12-2018	
	Decision: (G) Grant	
	Decision Date: 2-13-2018	
	ORD that the time for the appellant to file the reply brief is extended to March 15, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-15-2018	
OCCD CA	02-07-2018	Brief of Respondent(s) <a href="#">Brief of Respondent</a>
	Filed By: Jeffrey Kassel	
OCCD CA	01-03-2018	Motion to Extend Time
	Filed By: Jeffrey Kassel	
	Submit Date: 1-3-2018	
	Decision: (G) Grant	
	Decision Date: 1-5-2018	
	IT IS ORDERED that the deadline for the State to file the respondent's brief in these matters is extended to February 7, 2018. See BRS event due on 2-7-2018	

OCCD CA 11-17-2017

Motion to Extend Time

Filed By: Jeffrey Kassel

Submit Date: 11-20-2017

Decision: (G) Grant

Decision Date: 11-21-2017

ORD that the deadline for the State to file the respondent's brief in these matters is extended to January 8, 2018.

See BRS event due on 1-8-2018

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OCCD CA 11-16-2017

Order

A paper copy of the appellants brief and appendix has been filed by the appellants attorney. Attorney Walrath provided numerous redacted replacement pages for insertion into the brief and appendix by court staff. This document has not been properly filed in electronic form as required by WIS. STAT. RULE 809.19(12) or 809.32(1)(fm). Counsel shall file a corrected copy of the document in electronic form within 5 days of the date of this order. Failure to file the corrected document in electronic form may result in the imposition of a penalty under WIS. STAT. RULE 809.83(2). See also WIS. STAT. RULE 809.80(5)(b).

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OCCD CA 11-08-2017

Response

Comment: per 10/30/17 cto - new BAP's or redacted pages supplies; rcvd. numerous pages to be inserted in applnt. brief and appendix. Pages 11, 15, 16, 18, 19, 22, 23, 33,22, 41 and 42 in brief; pages 101, 102, 103, 105, 107, 108, 109, 114, 128 and 138; Insertion completed 11/13/17 - BRS due date adjusted

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OCCD CA 10-17-2017

Motion for Miscellaneous Relief

Filed By: James Walrath

Submit Date: 10-17-2017

Decision: (D) Deny

Decision Date: 10-30-2017

ORD that the motion for an order excusing failure to comply with Wis. Stat. Rule 809.86 is denied.

FRO that Attorney James A Walrath shall, no later than 10 days from the date of this order, submit copies of an appellant's brief and appendix that have been properly redacted or, in the alternative, he may submit copies of redacted pages to be inserted by the clerk of this court into the briefs and appendices Walrath already submitted.

Comment: Motion to excuse non-compliance with Wis. Stat. Rule 809.86

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OCCD CA 10-16-2017

Attorney Change

Comment: Added AAG Jeffrey J. Kassel as counsel for the State per filing of notice of appearance.

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OCCD CA 10-09-2017

Brief & Appendix of Appellant(s)

[Brief of Appellant](#)

Filed By: James Walrath

Comment: Separate Appendix Appx to Brief of Appellant(s)

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OCCD CA 10-04-2017

Motion to Extend Time

Filed By: James Walrath

Submit Date: 10-4-2017

Decision: (G) Grant

Decision Date: 10-6-2017

IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until October 10, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 10-10-2017  
Comment: 4

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OCCD CA 09-19-2017 Motion to Extend Time  
Filed By: James Walrath  
Submit Date: 9-20-2017  
Decision: (G) Grant  
Decision Date: 9-21-2017  
ORD that the deadline for Barwick to file his appellant's brief and appendix is extended to October 5, 2017.  
See BAP event due on 10-5-2017  
Comment: 3

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OCCD CA 09-08-2017 Motion to Extend Time  
Filed By: James Walrath  
Submit Date: 9-11-2017  
Decision: (G) Grant  
Decision Date: 9-12-2017  
ORD that the deadline for Bariwck to file his appellant's brief and appendix in these matters is extended to September 25, 2017.  
See BAP event due on 9-25-2017

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OCCD CA 07-12-2017 Motion to Extend Time  
Filed By: James Walrath  
Submit Date: 7-13-2017  
Decision: (G) Grant  
Decision Date: 7-17-2017  
ORD that the time for the appellant to file an appellant's brief is extended until September 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 9-15-2017

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OCCD CA 07-07-2017 Record  
Comment: ELECTRONICALLY FILED; 1-1 to 56-74

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OCCD CA 06-02-2017 Consolidated Case  
Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

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OCCD CA 06-02-2017 Court Order for 3-Judge Panel

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OCCD CA 06-02-2017 Statement on Transcript  
Filed By: James Walrath  
Status: Prev. Filed

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OCCD CA 06-01-2017 Motion to Consolidate  
Filed By: James Walrath  
Submit Date: 6-1-2017  
Decision: (G) Grant

Decision Date: 6-2-2017

ORD that appeal Nos. 2017AP958-CR, 2017AP959-CR, 2017AP960-CR and 2017AP961-CR are consolidated for briefing and disposition purposes.

FRO that the consolidated appeals shall be decided by a three-judge panel.

Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

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OCCD CA	05-25-2017	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	05-25-2017	Fee Waived
	Comment: SPD appointed	

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OCCD CA	05-25-2017	State Public Defender Order Appointing Counsel
	Comment: in transmittal	

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OCCD CA	05-25-2017	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	05-25-2017	X Transfer
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OCCD CA	05-22-2017	Notice of Appeal filed in Circuit Court
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OCCD CA	05-08-2017	Order of Circuit Court
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OCCD CA	03-29-2017	Mot. Extend Time to file NAP/PCM
	Filed By: James Walrath	
	Submit Date: 3-30-2017	
	Decision: (G) Grant	
	Decision Date: 3-31-2017	
	ORD that the time for filing a notice of appeal or postconviction motion is extended to May 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).	
	Comment: 4	

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OCCD CA	03-16-2017	Mot. Extend Time to file NAP/PCM
	Filed By: James Walrath	
	Submit Date: 3-16-2017	
	Decision: (G) Grant	
	Decision Date: 3-17-2017	
	IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to April 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).	
	Comment: 3	

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OCCD CA	01-24-2017	Mot. Extend Time to file NAP/PCM
	Filed By: James Walrath	
	Submit Date: 1-24-2017	
	Decision: (G) Grant	
	Decision Date: 1-26-2017	
	IT IS ORDERED that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to March 20, 2017.	
	Comment: 2d	

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OCCD CA 11-21-2016

Mot. Extend Time to file NAP/PCM

Filed By: James Walrath

Submit Date: 11-22-2016

Decision: (G) Grant

Decision Date: 11-23-2016

ORD that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to February 3, 2017.

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OCCD CA 06-28-2016

Judgment of Circuit Court

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