

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Lance P. Howard

Appeal Number 2017AP000677 - CR

CONSOLIDATED - [List of Consolidated Cases](#)
Court of Appeals District 2

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	03-27-2019		Motion for Miscellaneous Relief Filed By: Lance Howard Submit Date: 3-27-2019 Decision: (N) No Action Decision Date: 4-9-2019 ORD that the petition for review is denied, without costs. Comment: Request for order to have Attorney Cleghorn to give documents/file to appellant
OCCD	SC	03-06-2019		Letter/Correspondence Comment: Filed by AAG Kowski advising State will not file formal response to PRE unless ordered by the court.
OCCD	SC	03-05-2019		Letter/Correspondence Comment: Filed by AAG Kowski advising PRE received 3/5/19 making response due 3/14/19.
OCCD	SC	02-28-2019		Letter/Correspondence Comment: From appellant regarding service of PRE.
OCCD	SC	02-28-2019		Sua Sponte Filed By: Supreme Court Supreme Court Submit Date: 2-28-2019 Decision: (N) No Action Decision Date: 3-5-2019 No action. Comment: Letter from appellant regarding service of PRE
OCCD	CA	02-22-2019		Other Papers Comment: Attorney Cleghorn's copy of 2/15/19 order returned, address incorrect. 2/22/19 - order forwarded to correct address.
OCCD	CA	02-13-2019		Affidavit of No Service filed Comment: Filed by AAG Kowski re PRE (appellant's original copy was returned, incorrect address).

OCCD SC	02-05-2019	Letter/Correspondence
Comment: Filed by appellant advising of change of address and requesting pro se PRE guide. Also requesting copy of PRE. 2/5/19 - response sent with PRE guide.		
OCCD CA	02-05-2019	Attorney Change
Comment: Address updated for appellant per letter filed 2/5/19.		
OCCD SC	01-24-2019	Affidavit of No Service filed
Comment: Filed by AAG Kowski re PRE.		
OCCD SC	01-15-2019	Fee Waived
Comment: SPD appointed in court of appeals.		
OCCD SC	01-15-2019	Petition for Review
<p>Filed By: Lance Howard Submit Date: 3-5-2019 Decision: (D) Deny Decision Date: 4-9-2019 ORD that the petition for review is denied, without costs. Comment: 1/24/19 - NOS filed by AG; 2/13/19 - additional NOS filed by AG</p>		
OCCD SC	01-10-2019	Letter/Correspondence
Comment: To parties enclosing copy of 1/2/19 and 1/9/19 filings from appellant.		
OCCD SC	01-09-2019	Motion for Miscellaneous Relief
<p>Filed By: Lance Howard Submit Date: 1-9-2019 Decision: (N) No Action Decision Date: 2-15-2019 ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record; FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants; FRO that any response to the petition for review must be filed within 30 days of service of the petition; and, FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with a copy of the document included with his January 2, 2019 filing. Comment: Motions to Subpoena Sheboygan County and Department of Corrections to produce requested documents.</p>		
OCCD CA	12-27-2018	Other Papers
Comment: Returned mail; Attorney Cleghorn's copy of 12/18/18 order. 12/27/18 - forwarded to corrected address.		
OCCD SC	12-18-2018	Order

ORD that Mr. Howard shall, within 30 days of the date of this order, advise the court if he wishes Attorney Cleghorn to file the no-merit petition for review on his behalf, or if he wishes to proceed with his motion for withdrawal of counsel and file a petition for review, pro se.

FRO that thereafter, an order will issue setting forth the deadlines for filing a petition for review or a no-merit petition for review and the timing of any responses that may be filed.

See MMS event filed on 11-9-2018

OCCD CA 11-29-2018 Letter/Correspondence

Comment: From Kerri Cleghorn advising that the case file has been mailed to Mr. Howard per 11-16-18 CTO.

OCCD SC 11-29-2018 Response

Comment: Response from Attorney Cleghorn to 11/16/18 CTO advising she has served copies of file materials to appellant.

OCCD SC 11-16-2018 Order

ORD that to the extent she has not already done so, Attorney Cleghorn shall, within seven days of the date of this order, serve upon Mr. Howard copies of the file materials he has requested. See Wis. Stat. (Rule) 809.32(1)(d). Attorney Cleghorn shall advise the court, in writing, within 14 days of the date of this order, of her compliance with this directive;

FRO that the relief requested in the petition for writ of habeas corpus is granted in part, ex parte. The court will permit a petition for review to be filed in this matter;

FRO that Mr. Howard's request for withdrawal of counsel is held in abeyance until further order of the court;

FRO that the Office of the State Public Defender is asked to evaluate whether it would appoint successor counsel to represent Mr. Howard. Within 30 days of the date of this order, the Office of the State Public Defender is requested to advise the court if it would appoint successor counsel to represent Mr. Howard;

FRO that upon receipt of this information from the Office of the State Public Defender, this court will issue an order setting forth Mr. Howard's options with respect to counsel and asking if Mr. Howard wants to proceed with his motion for withdrawal of counsel;

FRO that thereafter, an order will issue setting forth the deadlines for filing a petition for review or a no-merit petition for review on behalf of defendant-appellant of the adverse court of appeals' decision issued on February 21, 2018, State v. Howard, Case Nos. 2017AP677-CR and 2017AP678-CR, and the timing of any responses that may be filed.

See MMS event filed on 11-9-2018

OCCD SC 11-09-2018 Motion for Miscellaneous Relief

Filed By: Lance Howard

Submit Date: 11-9-2018

Decision: (G) Grant

Decision Date: 2-15-2019

ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record;

FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants;

FRO that any response to the petition for review must be filed within 30 days of service of the petition; and,

FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with

a copy of the document included with his January 2, 2019 filing.

Motion Response

Filed By: Joseph Ehmann

Submit Date: 12-14-2018

Motion Response

Filed By: Lance Howard

Submit Date: 1-2-2019

Motion Response

Filed By: Lance Howard

Submit Date: 1-9-2019

Motion Response

Filed By: Lance Howard

Submit Date: 1-18-2019

Motion Response

Filed By: Kerri Cleghorn

Submit Date: 1-18-2019

This motion contains court order(s).

Comment: Motion to withdraw attorney; SPD response to 11/16/18 CTO filed 12/14/18; appellant's response to 12/18/18 CTO filed 1/2/19

OCCD SC 10-01-2018

Motion for Miscellaneous Relief

Filed By: Lance Howard

Submit Date: 10-1-2018

Decision: (N) No Action

Decision Date: 2-15-2019

ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record;

FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants;

FRO that any response to the petition for review must be filed within 30 days of service of the petition; and,

FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with a copy of the document included with his January 2, 2019 filing.

Comment: MXT to file PRE; See 12/18/18 CTO regarding deadlines for filing PRE

OCCD CA 04-03-2018

Remittitur

OCCD CA 03-28-2018

Published Opinion Citation

913 N.W.2d 515

OCCD CA 03-28-2018

Published Opinion Citation

380 Wis. 2d 510

OCCD CA 03-28-2018

Opinion Ordered Unpublished

OCCD CA 02-21-2018

[Opinion/Decision](#)

Judge Panel: Gundrum

Opinion: Opinion

OCCD CA	02-19-2018	Briefs Received At State Law Library
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OCCD CA	02-06-2018	Submitted on Briefs
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OCCD CA	02-05-2018	Record and Briefs Sent to District 2
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OCCD CA	01-05-2018	Brief of Respondent(s) Brief of Respondent
	Filed By: Mary Wagner	
	Comment: Appx to Brief of Respondent(s)	

OCCD CA	12-04-2017	Affidavit of No Service filed
	Comment: from ADA Mary Wagner regarding 11/6/12 transcripts	

OCCD CA	11-27-2017	Motion to Extend Time
	Filed By: Mary Wagner	
	Submit Date: 11-27-2017	
	Decision: (G) Grant	
	Decision Date: 11-29-2017	
	ORD that the time for the respondent to file its respondent's brief is extended to 1/4/18. See Wis. Stat. Rule 809.82(2)(a).	
	See BRS event due on 1-4-2018	

OCCD CA	11-24-2017	Certificate of Service
	Comment: From Attorney Cleghorn, appellant's brief mailed to ADA Wagner on 11/20/17.	

OCCD CA	11-08-2017	Sua Sponte
	Filed By: Unassigned District 2	
	Submit Date: 11-8-2017	
	Decision: (O) Other	
	Decision Date: 11-9-2017	
	ORD that by November 20, 2017, Attorney Cleghorn shall serve a copy of the appellant's brief on Assistant District Attorney Mary T. Wagner and file notice of service with this court. The respondent's brief will be due thirty days after service of the appellant's brief.	
	Comment: Letter from ADA and NOS regarding BAP	

OCCD CA	11-08-2017	Letter/Correspondence
	Comment: From ADA Mary Wagner advising court that the BAP has not been served.	

OCCD CA	10-16-2017	Affidavit of No Service filed
	Comment: from ADA Mary T. Wagner regarding BAP	

OCCD CA	10-16-2017	Attorney Change
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OCCD CA 10-12-2017 Delinquent

Comment: New due date of connected BRS: 10-19-2017

OCCD CA 08-29-2017 Delinquency Motion

Filed By: Unassigned District 2

Submit Date: 8-29-2017

Decision: (N) No Action

Decision Date: 8-30-2017

No action.

See BAP event filed on 8-29-2017

OCCD CA 08-29-2017 Brief & Appendix of Appellant(s)

[Brief of Appellant](#)

Filed By: Kerri Cleghorn

OCCD CA 08-11-2017 Brief Correction Notice

Comment: This brief does not include an order in the appendix; see Rule 809.19(2). All case numbers on consolidated cases must appear on the cover.

OCCD CA 07-26-2017 Motion to Extend Time

Filed By: Kerri Cleghorn

Submit Date: 7-28-2017

Decision: (G) Grant

Decision Date: 7-31-2017

ORD that the time for the appellant to file an appellant's brief is extended to 8/25/17. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 8-25-2017

OCCD CA 06-26-2017 Motion to Extend Time

Filed By: Kerri Cleghorn

Submit Date: 6-27-2017

Decision: (G) Grant

Decision Date: 6-29-2017

ORD that the time for the appellant to file his appellant's brief is extended to 7/26/17. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 7-26-2017

OCCD CA 05-17-2017 Order

ORD that the deadline for the trial court to decide the postconviction motion is extended to January 18, 2017.

OCCD CA 05-16-2017 Record

Comment: 1-4 to 122-10

OCCD CA 04-20-2017 Consolidated Case

Comment: [2017AP000677, 2017AP000678]

OCCD CA	04-17-2017	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	04-17-2017	Fee Waived
	Comment: SPD Appointed	

OCCD CA	04-17-2017	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	04-10-2017	Notice of Appeal filed in Circuit Court
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OCCD CA	03-07-2017	Motion to Consolidate
	Filed By: Kerri Cleghorn	
	Submit Date: 4-17-2017	
	Decision: (G) Grant	
	Decision Date: 4-20-2017	
	ORD that these appeals are consolidated for purposes of briefing and disposition. Wis. Stat. Rule 809.10(3).	
	FRO that the time for filing a postconviction motion is extended to November 7, 2016. See Wis. Stat. Rule 809.82(2)(a).	
	FRO that the time for filing a notice of appeal is extended to April 10, 2017. See Wis. Stat. Rule 809.82(2)(a).	
	Comment: [2017AP000677, 2017AP000678]	

OCCD CA	03-07-2017	State Public Defender Order Appointing Counsel
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OCCD CA	03-07-2017	Statement on Transcript
	Filed By: Kerri Cleghorn	
	Status: Prev. Filed	

OCCD CA	01-18-2017	Order of Circuit Court
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OCCD CA	01-18-2017	Order of Circuit Court
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OCCD CA	05-10-2014	Judgment of Circuit Court
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