

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. Robert K. Nietzold, Sr.

Appeal Number 2021AP000021 - CR

Supreme Court

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-08-2023		Remittitur
OCCD	SC	03-28-2023		Published Opinion Citation
		406 Wis. 2d 349		
OCCD	SC	03-28-2023		Published Opinion Citation
		986 N.W.2d 795		
OCCD	SC	03-28-2023		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky		
		Opinion: Opinion		
		Decision: Reversed Pages: 12		
		Written by: Hagedorn, Brian K.		
		Order Text: The decision of the court of appeals is reversed.		
		Comment: Opinion/Decision-Supreme Court		
OCCD	SC	03-27-2023		Public Domain Citation
		Comment: PDC No: 2023 WI 22		
OCCD	SC	10-10-2022		Oral Argument
		Comment: 9:45 a.m. (TO BE ARGUED IN THE WAUPACA COUNTY COURTHOUSE, JUSTICE ON WHEELS PROGRAM). Jacob Wittwer for Plaintiff-Respondent-Petitioner and Phil Brehm for Defendant-Appellant.		
OCCD	SC	08-03-2022		Assigned for Oral Argument
OCCD	SC	07-12-2022		Brief of Amicus Curiae/Non-Party
		<a href="#">Nonparty Brief of Wisconsin Association of Criminal Defense Lawyers</a>		
		Filed By: Ellen Henak		
		Comment: Wisconsin Association of Criminal Defense Lawyers		

OCCD SC 07-11-2022 [Reply Brief-Supreme Court](#)  
[Reply Brief-Supreme Court](#)

Filed By: Jacob Wittwer

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OCCD SC 07-08-2022 Letter/Correspondence

Comment: Cover Letter to BR3

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OCCD SC 07-08-2022 Motion to File Amicus/Non-Party Brief

Filed By: Ellen Henak

Submit Date: 7-11-2022

Decision: (G) Grant

Decision Date: 7-12-2022

IT IS ORDERED that the motion is granted. The brief submitted with the motion is accepted as filed.

Comment: Wisconsin Association of Criminal Defense Lawyers 07-12-2022 Court Order

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OCCD SC 07-08-2022 Letter/Correspondence

Comment: Cover Letter to Motion to Extend Time to File Amicus Brief (Wisconsin Association of Criminal Defense Lawyers)

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OCCD SC 06-28-2022 Letter/Correspondence

Comment: Cover Letter to Response Brief-Supreme Court

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OCCD SC 06-28-2022 [Response Brief-Supreme Court](#)  
[Response Brief-Supreme Court](#)

Filed By: Philip Brehm

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OCCD SC 06-09-2022 [First Brief-Supreme Court](#)  
[First Brief-Supreme Court](#)

Filed By: Jacob Wittwer

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OCCD SC 05-12-2022 Letter/Correspondence

Comment: Cover Letter to Motion to Extend Time (BR1)

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OCCD SC 05-12-2022 Motion to Extend Time

Filed By: Jacob Wittwer

Submit Date: 5-12-2022

Decision: (G) Grant

Decision Date: 5-16-2022

IT IS ORDERED that the motion is granted. Plaintiff-respondent-petitioner's initial brief shall be served and filed on or before June 13, 2022.

See BR1 event due on 6-13-2022

Comment: Motion to Extend Time (BR1) 05-16-2022 Order

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OCCD SC 04-13-2022 Court Changed to Supreme Court

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OCCD CA 01-27-2022 Published Opinion Citation

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OCCD CA 01-27-2022 Published Opinion Citation  
400 Wis. 2d 545

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OCCD CA 01-27-2022 Opinion Ordered Unpublished  
Comment: Opinion Ordered Unpublished

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OCCD SC 01-10-2022 Letter/Correspondence  
Comment: Cover letter to Petition for Review

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OCCD SC 01-10-2022 Fee Waived  
Comment: State filed

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OCCD SC 01-10-2022 Petition for Review  
[Response to Petition for Review](#)  
[Petition for Review](#)

Filed By: Jacob Wittwer  
Submit Date: 1-25-2022  
Decision: (G) Grant  
Decision Date: 4-13-2022  
IT IS ORDERED that the petition for review is granted.  
Motion Response  
Filed By: Philip Brehm  
Submit Date: 1-25-2022  
Comment: 04-13-2022 Order

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OCCD CA 12-09-2021 [Opinion/Decision](#)  
Judge Panel: Kloppenburg, Blanchard, Nashold  
Opinion: Opinion  
Decision: Reversed and remanded Pages: 10  
Written by: Kloppenburg, JoAnne F.  
Order Text: Judgment and order reversed and cause remanded with directions.  
Comment: Opinion/Decision

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OCCD CA 10-08-2021 Submitted on Briefs

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OCCD CA 09-14-2021 Record and Briefs Sent to District 4

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OCCD CA 09-13-2021 Reply Brief  
[Reply Brief](#)

Filed By: Philip Brehm

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OCCD CA 08-31-2021 Brief of Respondent(s)  
[Brief of Respondent](#)

Filed By: Jacob Wittwer

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OCCD CA 08-16-2021 Motion to Extend Time  
Filed By: Jacob Wittwer  
Submit Date: 8-16-2021  
Decision: (G) Grant  
Decision Date: 8-18-2021  
IT IS ORDERED that the time to file the respondents brief is hereby extended to August 31, 2021.  
See BRS event due on 8-31-2021

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OCCD CA 07-15-2021 Motion to Extend Time  
Filed By: Jacob Wittwer  
Submit Date: 7-15-2021  
Decision: (G) Grant  
Decision Date: 7-19-2021  
IT IS ORDERED that the time to file the respondents brief is extended to August 16, 2021.  
See BRS event due on 8-16-2021

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OCCD CA 06-28-2021 Notice of Appearance  
Comment: AAG Jacob Wittwer for the State of Wisconsin Notice of Appearance (JW)

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OCCD CA 06-25-2021 Supplement to Record  
Comment: 49-2 to 60-1 ELECTRONICALLY FILED

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OCCD CA 06-14-2021 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Philip Brehm

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OCCD CA 06-10-2021 Other Papers  
Comment: CRS; 9/17/18, 9/24/18, 11/7/18, 11/14/18, 12/19/18, 2/26/19, 5/6/19 and 6/26/19 transcripts filed in circuit court 6/4/21; Court Reporter Susan Veres

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OCCD CA 06-04-2021 Statement on Transcript  
Filed By: Philip Brehm  
Status: Prev. Filed  
Comment: Additional SRT per 5/4/21 CTO Statement on Transcript (additional)

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OCCD CA 05-27-2021 Sua Sponte  
Filed By: Unassigned District 4  
Submit Date: 5-27-2021  
Decision: (O) Other  
Decision Date: 6-2-2021  
IT IS ORDERED that the appellant may file an additional statement on transcript within five days of the date of this order. If no additional statement on transcript is filed, the appellant's brief shall be due twenty days from the date of this order. If an additional statement on transcript is filed, the subsequent deadlines for preparing the transcripts, supplementing the record, and filing the appellant's brief as established by this court's prior order shall be followed.  
Comment: 6/2/21 CTO

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OCCD CA 05-03-2021 Motion to Correct/Supplement Record

Filed By: Philip Brehm  
Submit Date: 5-3-2021  
Decision: (O) Other  
Decision Date: 5-4-2021

IT IS ORDERED that the motion for an extension of time to file a statement on transcript is granted. The appellant shall file an additional statement on transcript within twelve days of the date of this order.

IT IS FURTHER ORDERED that, if the transcripts have not already been prepared, the court reporter shall have a shortened time period for filing the additional transcripts, due to the late date at which this request was made. The court reporter shall file the additional transcripts within forty-five days of when the transcript is requested.

IT IS FURTHER ORDERED that, upon the filing of all transcripts, the clerk of the circuit court shall immediately transmit the transcripts by supplemental return.

IT IS FURTHER ORDERED that the appellants brief shall be due twenty days after the filing of the supplemental return.

Comment: Motion to Correct/Supplement Record

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OCCD CA 03-26-2021 Sealed Documents

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OCCD CA 03-26-2021 Record  
Comment: 1-2 to 48-40 ELECTRONICALLY FILED

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OCCD CA 03-11-2021 Other Papers  
Comment: Notice of Compilation of Record

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OCCD CA 03-04-2021 Delinquent  
Comment: New due date of connected REC: 3-19-2021

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OCCD CA 01-07-2021 Statement on Transcript  
Filed By: Philip Brehm  
Status: Prev. Filed  
Comment: Statement on Transcript

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OCCD CA 01-05-2021 X Transfer

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OCCD CA 01-04-2021 Notif. Sent-Filing of NAP & Ct. Record  
Comment: Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 01-04-2021 Fee Waived  
Comment: SPD Appointed

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OCCD CA 01-04-2021 Notice of Appeal & Circuit Court Docket Entries  
Comment: Notice of Appeal & Court Record (Transmittal)

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OCCD CA 12-28-2020 Notice of Appeal filed in Circuit Court

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OCCD CA 12-10-2020 Order of Circuit Court

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OCCD CA 12-04-2020 Mot. Extend Time to file NAP/PCM

Filed By: Philip Brehm  
Submit Date: 12-4-2020  
Decision: (N) No Action  
Decision Date: 12-7-2020  
No action.  
Motion Response  
Filed By: Philip Brehm  
Submit Date: 12-4-2020  
Comment: MXT to file NAP/PCM (5) Response to MXT to file NAP/PCM (5)

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OCCD CA 10-19-2020 Mot. Extend Time to file NAP/PCM

Filed By: Philip Brehm  
Submit Date: 10-19-2020  
Decision: (G) Grant  
Decision Date: 10-21-2020  
IT IS ORDERED that the time to file a postconviction motion or notice of appeal is extended to December 4, 2020.  
Comment: MXT to file NAP/PCM (4); Order on MXT to file NAP/PCM (4)

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OCCD CA 08-18-2020 Mot. Extend Time to file NAP/PCM

Filed By: Philip Brehm  
Submit Date: 8-18-2020  
Decision: (G) Grant  
Decision Date: 8-19-2020  
IT IS ORDERED that the time to file a postconviction motion or notice of appeal is extended to October 20, 2020.  
Comment: Third MXT to file NAP/PCM 8/19/20 CTO (XNP);

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OCCD CA 06-22-2020 Mot. Extend Time to file NAP/PCM

Filed By: Philip Brehm  
Submit Date: 6-22-2020  
Decision: (G) Grant  
Decision Date: 6-25-2020  
IT IS ORDERED that the time to file a postconviction motion or notice of appeal is extended to August 21, 2020.  
Comment: MXT to file NAP/PCM (2) 06-25-20 Order

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OCCD CA 04-21-2020 Mot. Extend Time to file NAP/PCM

Filed By: Philip Brehm  
Submit Date: 4-21-2020  
Decision: (G) Grant  
Decision Date: 4-28-2020  
IT IS ORDERED that the time to file a postconviction motion or notice of appeal is extended to June 22, 2020.  
Comment: MXT to file NAP/PCM 04-28-20 Order

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OCCD CA 03-13-2020 Mot. Extend Time to appoint counsel & order trans.

Filed By: Joseph Ehmann  
Submit Date: 3-16-2020  
Decision: (G) Grant

WSCCA Case History

Decision Date: 3-17-2020

ORD that the time to appoint counsel and request transcripts is retroactively extended to until February 17, 2020.

Motion Response

Filed By: Joseph Ehmann

Comment: MXT to appoint counsel & order trans. AND Order 03-27-20 Order MXT to appoint counsel & order trans.

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OCCD CA 06-25-2019

Judgment of Circuit Court

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