

# Wisconsin Supreme Court and Court of Appeals Case Access

## State v. David W. Howes

### Appeal Number 2014AP001870 - CR

Supreme Court

#### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
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OCCD	SC	10-06-2017		Letter/Correspondence Comment: from U.S. Supreme Court; advising petition for writ of cert denied
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OCCD	SC	06-12-2017		Letter/Correspondence Comment: from U.S. Supreme Court advising writ of cert filed, No. 16-9463
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OCCD	SC	04-04-2017		Remittitur
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OCCD	SC	03-01-2017		Published Opinion Citation 893 N.W.2d 812
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OCCD	SC	03-01-2017		Published Opinion Citation 373 Wis. 2d 468
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OCCD	SC	03-01-2017		<a href="#">Opinion/Decision</a> Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Reversed and remanded Pages: 25 Written by: Roggensack, Patience Drake Abrahamson, Shirley S. Wrote Dissenting Opinion 25 pages. Ziegler, Annette K. Joined Concurring Opinion Bradley, Ann Walsh Joined Dissenting Opinion Gableman, Michael J. Wrote Concurring Opinion 21 pages. Kelly, Daniel Joined Dissenting Opinion Kelly, Daniel Wrote Concurring Opinion 1 pages. Order Text: The order of the circuit court is reversed and the cause is remanded for further proceedings consistent with this opinion.
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OCCD	SC	02-27-2017		Public Domain Citation Comment: PDC No: 2017 WI 18
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OCCD	SC	10-20-2016		Oral Argument Comment: 2nd case, 9:45 a.m. (rescheduled from 10/26/16 @ 1:30); Atty Ryan J. Walsh for Pla-App;
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OCCD SC 08-05-2016 Briefs Received At State Law Library

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OCCD SC 07-19-2016 Response  
Comment: 10 copies CA brief due

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OCCD SC 07-14-2016 Reply Brief-Supreme Court  
[Reply Brief-Supreme Court](#)  
Filed By: Misha Tseytlin

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OCCD SC 07-11-2016 Briefs Received At State Law Library

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OCCD SC 06-30-2016 Response Brief-Supreme Court  
[Response Brief-Supreme Court](#)  
Filed By: Mark Eisenberg  
Comment: Separate Appendix

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OCCD SC 06-07-2016 Motion to Extend Time  
Filed By: Mark Eisenberg  
Submit Date: 6-7-2016  
Decision: (G) Grant  
Decision Date: 6-7-2016  
ORD that the motion is granted. Defendant-respondent's response brief shall be served and filed on or before June 30, 2016.  
See BR2 event due on 6-30-2016

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OCCD SC 06-01-2016 Assigned for Oral Argument

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OCCD SC 05-27-2016 First Brief-Supreme Court  
[First Brief-Supreme Court](#)  
Filed By: Ryan Walsh  
Comment: Separate Appendix Appx to First Brief-Supreme Court

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OCCD SC 05-19-2016 Attorney Change  
Comment: Notice of Appearance for State of Wisconsin; delete AAG Lennington; add AAG Walsh

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OCCD SC 04-18-2016 Attorney Change  
Comment: Notice of Appearance for State of Wisconsin; delete AAG Weber and Sanders; add Solicitor General Tseytlin and AAG Lennington

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OCCD SC 04-18-2016 Motion to Extend Time  
Filed By: Daniel Lennington  
Submit Date: 4-18-2016  
Decision: (G) Grant  
Decision Date: 4-18-2016  
ORD that the motion is granted. Plaintiff-appellant's opening brief shall be served and filed on or before

May 27, 2016.  
See BR1 event due on 5-27-2016

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OCCD SC	04-07-2016	Court Changed to Supreme Court
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OCCD CA	04-07-2016	Hold Status
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OCCD SC	01-28-2016	Certification Filed
	Filed By: Unassigned District 4	
	Submit Date: 1-29-2016	
	Decision: (G) Grant	
	Decision Date: 4-7-2016	
	ORD certification granted. Briefs/statements 30/20/10.	
	See DEC event filed on 1-28-2016	

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OCCD CA	01-28-2016	<a href="#">Opinion/Decision</a>
	Judge Panel: Sherman, Lundsten, Kloppenburg	
	Opinion: Certification	
	Decision: Certification Filed Pages: 24	
	Order Text: Whether provisions in Wisconsin implied consent law authorizing a warrantless blood draw from an unconscious suspect violate the Fourth Amendment to the United States Constitution.	

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OCCD CA	11-11-2015	Other Brief
		<a href="#">Other Brief- David W. Howes Supplemental Letter Brief</a>
	Filed By: Mark Eisenberg	
	Comment: David W. Howes Supplemental Letter Brief Other Brief- David W. Howes Supplemental Letter Brief	

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OCCD CA	11-05-2015	Other Brief
		<a href="#">Other Brief- State of Wisconsin Supplemental Letter Brief</a>
	Filed By: Michael Sanders	
	Comment: State of Wisconsin Supplemental Letter Brief Other Brief- State of Wisconsin Supplemental Letter Brief Appx to Other Brief- State of Wisconsin Supplemental Letter Brief; Received 10 additional copies of CA Brief for SC Use. 5/27/16AB	

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OCCD CA	10-22-2015	Assigned for Oral Argument
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OCCD CA	10-22-2015	Oral Argument
	Comment: 10:00 a.m., Supreme Court Hearing Room, 2nd Fl. East Wing, State Capitol, Madison, WI	

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OCCD CA	09-29-2015	Order
	ORD that oral argument shall be held on Thursday, October 22, 2015, at 10:00 a.m. in the Supreme Court Hearing Room located on the 2nd Floor, East Wing of the State Capitol Building in Madison, Wisconsin. On arrival, the attorneys shall check in with the Clerk's Office staff outside the courtroom.	

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OCCD CA	03-05-2015	Submitted on Briefs
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OCCD CA 03-04-2015 Briefs Received At State Law Library

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OCCD CA 02-18-2015 Record and Briefs Sent to District 4

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OCCD CA 02-16-2015 Reply Brief  
[Reply Brief](#)

Filed By: Michael Sanders

Comment: Received 10 copies of BRY for SC use. 7/14/16ab

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OCCD CA 01-29-2015 Brief of Respondent(s)  
[Brief of Respondent](#)

Filed By: Mark Eisenberg

Comment: Received 10 additional copies of BRS for SC use. 07/19/16. KK

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OCCD CA 12-30-2014 Brief & Appendix of Appellant(s)  
[Brief of Appx of Appellant\(s\) - E-File Certification](#)  
[Brief of Appellant](#)

Filed By: Michael Sanders

Comment: Appx to Brief of Appellant(s); Received 10 additional copies of BAP for CA use. 5/27/16 AB

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OCCD CA 12-11-2014 Motion to Extend Time

Filed By: Michael Sanders

Submit Date: 12-12-2014

Decision: (G) Grant

Decision Date: 12-16-2014

ORD that the time to file the appellant's brief and appendix is extended to December 30, 2014.

See BAP event due on 12-30-2014

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OCCD CA 11-26-2014 Motion to Extend Time

Filed By: Michael Sanders

Submit Date: 11-26-2014

Decision: (G) Grant

Decision Date: 12-2-2014

ORD that the extension motion is granted. The time to file the appellant's brief is hereby extended to December 11, 2014.

See BAP event due on 12-11-2014

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OCCD CA 10-27-2014 Motion to Extend Time

Filed By: Michael Sanders

Submit Date: 10-28-2014

Decision: (G) Grant

Decision Date: 10-30-2014

ORD that the time to file the appellant's brief is extended to November 26, 2014.

See BAP event due on 11-26-2014

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WSCCA Case History

OCCD CA	09-15-2014	Record
	Comment: 1-1 to 38-1	
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OCCD CA	08-12-2014	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	08-12-2014	Fee Waived
	Comment: State filed appeal	
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OCCD CA	08-12-2014	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	08-07-2014	Statement on Transcript
	Filed By: Emily Thompson	
	Status: Prev. Filed	
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OCCD CA	08-05-2014	Notice of Appeal filed in Circuit Court
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OCCD CA	07-01-2014	Order of Circuit Court
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