

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Timothy E. Dobbs

Appeal Number 2018AP000319 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	SC		03-30-2020	Response Comment: Response to court's 3/22/20 order; parties to notify court whether they stipulate to waive oral argument.
OCCD	SC	08-26-2020		Remittitur Comment: NRI via UPS
OCCD	SC	07-03-2020		Published Opinion Citation 392 Wis. 2d 505
OCCD	SC	07-03-2020		Published Opinion Citation 945 N.W.2d 609
OCCD	SC	07-03-2020		Opinion/Decision Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Kelly, Dallet, Hagedorn Opinion: Opinion Decision: Affirmed Pages: 44 Written by: Dallet, Rebecca F. Ziegler, Annette K. Wrote Concurring Opinion 19 pages. Roggensack, Patience Drake Joined Concurring Opinion Hagedorn, Brian K. Joined Concurring Opinion Kelly, Daniel Wrote Concurring Opinion 9 pages. Bradley, Rebecca Grassl Joined Concurring Opinion Order Text: The decision of the court of appeals is affirmed. Comment: Opinion/Decision
OCCD	SC	07-01-2020		Public Domain Citation Comment: PDC No: 2020 WI 64
OCCD	SC	04-22-2020		Oral Argument Comment: at 1:30 p.m. (ARGUMENT WILL BE PRESENTED VIA VIDEO/AUDIO CONFERENCING) Attorney Michael D. Rosenberg for DEF-APP-PET, Attorney Michael C. Sanders for PLA-RES.

OCCD SC 04-01-2020 Assigned for Oral Argument

OCCD SC 03-25-2020 Briefs Received At State Law Library

OCCD SC 03-22-2020 Order

ORD oral argument scheduled for April 1, 2020 is cancelled.

FRO that on or before March 30, 2020, if a party no longer requests oral argument, each such party shall file with the clerk of this court a written response to this order, which may be in the form of a letter, stating that the party stipulates to the submission of the matter to the Supreme Court for decision based on the briefs filed by the parties and specifically waives oral argument; and

FRO that if all parties do not stipulate to waiving oral argument, the court will schedule oral argument at a later date and time.

Comment: Cancellation of oral argument due to COVID-19 pandemic

OCCD SC 03-18-2020 [Brief of Amicus Curiae/Non-Party](#)
[Brief of Amici Curiae - The Innocence Project, Inc., and The Wisconsin Innocence Project](#)

Filed By: Andrew Dufresne

Comment: The Innocence Project, Inc. and The Wisconsin Innocence Project

OCCD SC 03-17-2020 Motion to File Amicus/Non-Party Brief

Filed By: Andrew Dufresne

Submit Date: 3-17-2020

Decision: (G) Grant

Decision Date: 3-18-2020

IT IS ORDERED that the motion is granted and the brief is accepted for filing.

OCCD SC 03-16-2020 [Reply Brief-Supreme Court](#)
[Reply Brief-Supreme Court](#)

Filed By: Michael Rosenberg

OCCD SC 03-12-2020 Briefs Received At State Law Library

OCCD SC 03-06-2020 [Response Brief-Supreme Court](#)
[Response Brief-Supreme Court](#)

Filed By: Michael Sanders

OCCD SC 03-03-2020 Motion to Extend Time

Filed By: Michael Sanders

Submit Date: 3-3-2020

Decision: (G) Grant

Decision Date: 3-5-2020

ORD that the motion is granted. Plaintiff-respondent, State of Wisconsin, shall serve and file its response brief on or before March 6, 2020. All briefing must be completed and filed no later than March 18, 2020.

See BR2 event due on 3-6-2020

OCCD SC 02-17-2020 Briefs Received At State Law Library

OCCD SC 02-12-2020 First Brief-Supreme Court
[Frist Brief-Supreme Court](#)

Filed By: Michael Rosenberg
Comment: Appendix to First Brief-Supreme Court

OCCD SC 01-14-2020 Caption Amended

OCCD SC 01-14-2020 Court Changed to Supreme Court

OCCD CA 09-27-2019 Response
Comment: State's response to PRE per 9/17/19 CTO

OCCD SC 09-13-2019 Motion for Miscellaneous Relief
Filed By: Michael Sanders
Submit Date: 9-13-2019
Decision: (G) Grant
Decision Date: 9-17-2019
IT IS ORDERED that the motion is granted. The State of Wisconsin's response shall be served and filed on or before September 27, 2019.
Comment: Mxt to file response per 8/14/19 CTO

OCCD SC 08-14-2019 Order
IT IS ORDERED that the plaintiff-respondent, State of Wisconsin, is directed to file a response to the petition for review on or before September 13, 2019. The response should address, inter alia, the following issues: (1) Whether, before Mirandized, a reasonable person in Dobb's position would have felt free to terminate the encounter with police and leave the scene. See generally State v. Lonkoski, 2013 WI 30, 346 Wis. 2d 523, 828 N.W.2d 552 (defining "custody" for Miranda purposes). (2) Whether, before being Mirandized, police interrogated Dobbs. See generally State v. Harris, 2017 WI 31, 374 Wis. 2d 271, 892 N.W.2d 663 (defining "interrogation" for Miranda purposes). (3) Assuming for the sake of argument that Dobbs was subject to the custodial interrogation before being Mirandized, whether his later post-Miranda inculpatory statements were nevertheless admissible.

OCCD CA 06-26-2019 Published Opinion Citation
388 Wis. 2d 144

OCCD CA 06-26-2019 Opinion Ordered Unpublished

OCCD SC 06-11-2019 Letter/Correspondence
Comment: Filed by AAG Sanders advising State will not file formal response to PRE unless ordered by the court.

OCCD SC 05-29-2019 Fee Waived
Comment: SPD appointed

OCCD SC 05-29-2019 Petition for Review
Filed By: Michael Rosenberg

Submit Date: 6-11-2019
Decision: (G) Grant
Decision Date: 1-14-2020
ORD petition for review granted. Briefs/statements 30/20/10
FROI that the parties' briefs shall address the following additional issue:

Whether the court of appeals' decision is consistent with State v. Morgan, 2002 WI App 124, 254 Wis. 2d 602, 648 N.W.2d 23, and if not, whether Morgan should be overruled; and

Motion Response
Filed By: Michael Sanders
Submit Date: 9-27-2019

OCCD CA 05-02-2019 [Opinion/Decision](#)

Judge Panel: Sherman, Blanchard, Fitzpatrick
Opinion: Per Curiam
Decision: Affirmed Pages: 6
Order Text: Judgment affirmed.

OCCD CA 02-26-2019 Published Opinion Citation
930 N.W.2d 280

OCCD CA 10-04-2018 Submitted on Briefs

OCCD CA 09-07-2018 Briefs Received At State Law Library

OCCD CA 08-20-2018 Record and Briefs Sent to District 4

OCCD CA 08-17-2018 [Reply Brief](#)
[Reply Brief](#)

Filed By: Michael Rosenberg

OCCD CA 08-15-2018 Letter/Correspondence
Comment: from AG Sanders, advising page 3 of BRS has been replaced

OCCD CA 08-01-2018 [Brief of Respondent\(s\)](#)
[Brief of Respondent](#)

Filed By: Michael Sanders

OCCD CA 07-20-2018 Motion to Extend Time
Filed By: Michael Sanders
Submit Date: 7-20-2018
Decision: (G) Grant
Decision Date: 7-25-2018
ORD that the time to file the respondent's brief is extended to August 2, 2018.
See BRS event due on 8-2-2018

OCCD CA 07-06-2018 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 7-6-2018
Decision: (G) Grant
Decision Date: 7-10-2018
ORD that the time to file the respondent's brief is hereby extended to 7/23/18.
See BRS event due on 7-23-2018

OCCD CA 06-05-2018 Motion to Extend Time
Filed By: Michael Sanders
Submit Date: 6-6-2018
Decision: (G) Grant
Decision Date: 6-7-2018
ORD that the time to file the respondent's brief is extended to 7/6/18.
See BRS event due on 7-6-2018

OCCD CA 05-09-2018 Attorney Change
Comment: AAG Michael C. Sanders for State per letter notice of appearance

OCCD CA 05-04-2018 Brief & Appendix of Appellant(s)
[Brief of Appellant](#)
Filed By: Michael Rosenberg
Comment: Appx to Brief of Appellant(s)

OCCD CA 03-27-2018 Non-Electronic Record Item
Comment: Exhibit #02: CD (#1 of interview), Exhibit #03: CD (#2 of interview), Exhibit #4: CD (911 calls), Exhibit #16: CD (squad video), Exhibit #19: CD (squad video), Exhibit #65: DVD (Woodman's video), Exhibit #66: DVD (Woodman's video), Exhibit #68: DVD (video of depo.), Exhibit #2: CD (jail calls)

OCCD CA 03-26-2018 Sealed Documents
Comment: #131, 140, 147, 149, 212, 227, 228, 230

OCCD CA 03-26-2018 Record
Comment: 1-2 to 271-129 (ELECTRONICALLY FILED)

OCCD CA 02-28-2018 Other Papers
Comment: CRS: previously filed transcripts served on AG by mail 2/23/18; CR Lori Gerlach

OCCD CA 02-20-2018 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 02-20-2018 Fee Waived
Comment: SPD appointed

OCCD CA 02-20-2018 Statement on Transcript
Filed By: Michael Rosenberg
Status: Prev. Filed

WSCCA Case History

OCCD CA	02-20-2018	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	02-20-2018	X Transfer
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OCCD CA	02-12-2018	State Public Defender Order Appointing Counsel
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OCCD CA	02-12-2018	Notice of Appeal filed in Circuit Court
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OCCD CA	12-06-2017	Mot. Extend Time to file NAP/PCM
	Filed By: Michael Rosenberg	
	Submit Date: 12-6-2017	
	Decision: (G) Grant	
	Decision Date: 12-8-2017	
	ORD that the time to file a postconviction motion or notice of appeal is extended to February 19, 2018.	

OCCD CA	06-06-2017	Judgment of Circuit Court
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