

# Wisconsin Supreme Court and Court of Appeals Case Access

## State v. Manuel Garcia

### Appeal Number 2018AP002319 - CR

Supreme Court

#### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-07-2022		Letter/Correspondence Comment: Letter from U.S. Supreme Court denying Writ. of Cert.
OCCD	SC	01-03-2022		Letter/Correspondence Comment: From US Supreme Court; Letter Advising Writ of Cert. Filed, No. 21-945
OCCD	SC	11-01-2021		Remittitur
OCCD	SC	09-24-2021		Published Opinion Citation 399 Wis. 2d 324
OCCD	SC	09-24-2021		Published Opinion Citation 964 N.W.2d 342
OCCD	SC	09-24-2021		<a href="#">Opinion/Decision</a> Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Per Curiam Decision: Affirmed Pages: 1 Hagedorn, Brian K. Took No Part Order Text: The court of appeals' decision is affirmed by an equally divided court. Brian Hagedorn, J., withdrew from participation. Comment: 9/24/21 Decision
OCCD	SC	09-23-2021		Public Domain Citation Comment: PDC No: 2021 WI 76
OCCD	SC	09-13-2021		Oral Argument Comment: 1st case, 9:45 a.m. in Capitol Hearing Room. John Blimling for Plaintiff-Respondent-Petitioner. Emma J. Jewell for Defendant-Appellant
OCCD	SC	06-18-2021		Briefs Received At State Law Library

OCCD SC	06-15-2021	Assigned for Oral Argument
OCCD SC	04-22-2021	Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae - SPD</a>
	Filed By: Katie York Comment: SPD.	
OCCD SC	04-13-2021	Motion to File Amicus/Non-Party Brief
	Filed By: Katie York Submit Date: 4-13-2021 Decision: (G) Grant Decision Date: 4-16-2021 IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before April 22, 2021. Comment: SPD Motion to File Amicus Brief 4/16/21 CTO	
OCCD SC	04-12-2021	Certificate of Filing by Mail
	Comment: BR3 - mailed 4/12/2021	
OCCD SC	04-12-2021	Reply Brief-Supreme Court <a href="#">BR3 - Reply Brief - Supreme Court</a>
	Filed By: John Blimling	
OCCD SC	03-31-2021	Certificate of Filing by Mail
	Comment: Response brief 22 copies mailed 03-30-2021 (IB).	
OCCD SC	03-31-2021	Response Brief-Supreme Court <a href="#">BR2 - Response Brief - Supreme Court</a>
	Filed By: Emma Jewell	
OCCD SC	02-22-2021	Motion to Extend Time
	Filed By: Emma Jewell Submit Date: 2-22-2021 Decision: (G) Grant Decision Date: 2-25-2021 ORD that the motion is granted. Defendant-appellant shall file his response brief on or before March 30, 2021. See BR2 event due on 3-30-2021 Comment: Motion to Extend Time to file BR2 2/25/21 Court Order	
OCCD SC	02-18-2021	Certificate of Service
	Comment: First Supreme Court Brief mailed via USPS2/18/21 Certificate of Service BR1	
OCCD SC	02-18-2021	First Brief-Supreme Court <a href="#">First Supreme Court Brief</a>
OCCD SC	01-21-2021	Caption Amended

OCCD SC	01-20-2021	Court Changed to Supreme Court
OCCD CA	12-08-2020	Final Publication
OCCD CA	11-19-2020 394 Wis. 2d 743	Published Opinion Citation
OCCD CA	11-19-2020 951 N.W.2d 631	Published Opinion Citation
OCCD CA	11-19-2020 Comment: Opinion Ordered Published	Opinion Ordered Published
OCCD CA	11-19-2020 Comment: PDC No: 2020 WI App 71	Public Domain Citation
OCCD SC	11-05-2020 Comment: State PRE	Fee Waived
OCCD SC	11-05-2020 Comment: Certificate of Filing by Mail re PRE	Certificate of Filing by Mail
OCCD SC	11-05-2020	Petition for Review <a href="#">Petition for Review</a>
	<p>Filed By: John Blimling  Submit Date: 11-23-2020  Decision: (G) Grant  Decision Date: 1-20-2021  ORD petition for review granted. Briefs/Statements 30/20/10  Motion Response  Filed By: Emma Jewell  Submit Date: 11-23-2020  Comment: 1/20/21 Court Order</p>	
OCCD CA	10-07-2020	<a href="#">Opinion/Decision</a>
	<p>Judge Panel: Gundrum, Neubauer, Reilly  Opinion: Opinion  Decision: Reversed and remanded Pages: 15  Written by: Reilly, Paul F.  Order Text: Judgment and order reversed and cause remanded.  Comment: Opinion/Decision</p>	
OCCD CA	08-14-2020	Order
	<p>ORD that oral argument will not be rescheduled.  Comment: 8/14/20 Court Order</p>	

OCCD CA 08-10-2020 Briefs Received At State Law Library  
Comment: Supplemental Briefs

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OCCD CA 07-27-2020 Certificate of Filing by Mail  
Comment: DEFENDANT-APPELLANT (BOT) 07-24-20

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OCCD CA 07-27-2020 Other Brief  
[Supplemental Brief of Appellant](#)  
Filed By: Emma Jewell  
Comment: Supplemental Brief of Appellant Ack filing of Other Brief & Cover Letter

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OCCD CA 06-11-2020 Notice of Appearance  
Comment: Attorney Jewell for Appellant per notice of appearance. Notice of Appearance

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OCCD CA 06-08-2020 State Public Defender Order Appointing Counsel  
Comment: Emma J. Jewell for Manuel Garcia Received SPD Appointment Order Received SPD Appointment Order

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OCCD CA 05-26-2020 Certificate of Filing by Mail  
Comment: BOT (Supplemental Brief of Respondent) May 22, 2020

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OCCD CA 05-26-2020 Other Brief  
[Supplemental Brief of Respondent](#)  
Filed By: John Blimling  
Comment: Supplemental Brief of Respondent Ack filing of Supplemental Brief of Respondent, Cvr Ltr & COM

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OCCD CA 05-01-2020 Motion to Withdraw as Counsel  
Filed By: Russell Bohach  
Submit Date: 5-26-2020  
Decision: (G) Grant  
Decision Date: 6-2-2020  
ORD that Attorney Bohach's motion to withdraw as counsel is granted.  
FRO that within thirty days of the date of this order, the State Public Defender shall appoint successor counsel.  
FRO that Attorney Bohach shall promptly comply with any request from either the State Public Defender or successor counsel to provide case materials to the requester.  
FRO that the appellant's supplemental brief shall be filed no later than July 24, 2020.  
Motion Response  
Filed By: Joseph Ehmann  
Submit Date: 5-26-2020  
Comment: Response from SPD regarding MWC 06-02-20 Order

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OCCD CA 04-20-2020 Response  
Comment: Filed by Attorney Henak on behalf of WACDL in response to 3/10/20 and 4/2/20 orders, advising they will not be filing an amicus brief. Response filed by Henak Response filed by Atty Henak

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OCCD CA 04-03-2020

Response

Comment: from Attorney McKeever advising that WACDL declined court's offer to file an amicus curiae brief per 3/10/20 CTO

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OCCD CA 04-01-2020

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 4-1-2020

Decision: (G) Grant

Decision Date: 4-2-2020

ORD that the motion to extend the time to file supplemental briefs is granted. Supplemental briefs shall be filed no later than May 22, 2020.

FRO that no later than May 4, 2020, the Wisconsin Association of Criminal Defense Lawyers shall inform this court and the parties whether it will file an amicus curiae brief. If an amicus curiae brief shall be filed, the brief shall be filed no later than May 22, 2020.

FRO that the oral argument set for May 19, 2020 is canceled and will be rescheduled in a future order of this court.

See BOT event due on 5-22-2020

Comment: and oral argument 04-02-20 Order Motion to Extend Time

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OCCD CA 03-10-2020

Order

ORD that the parties shall file their supplemental briefs within thirty days of the date of this order.

FRO that Attorney McKeever shall inform this court whether WACDL will file an amicus curiae brief in this appeal within fourteen days of the date of this order.

FRO that if WACDL elects to file an amicus curiae brief in this appeal, the brief will be due May 5, 2020.

FRO that the parties shall appear for oral argument at the date and time specified in this order.

See DAC event filed on 10-2-2020

Comment: 03-10-20 Order

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OCCD CA 03-10-2020

Assigned for Oral Argument

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OCCD CA 01-22-2020

Submitted on Briefs

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OCCD CA 09-20-2019

Briefs Received At State Law Library

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OCCD CA 09-05-2019

Record and Briefs Sent to District 2

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OCCD CA 09-04-2019

No Brief to Be Filed

Comment: No Reply brief to be filed per Attorney Russell Bohach counsel for Appellant.

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OCCD CA 08-20-2019

Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: John Blimling

Comment: Ack Filing of Brief of Respondent & Cover Letter

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OCCD CA 07-17-2019

Motion to Extend Time

Filed By: John Blimling

Submit Date: 7-17-2019

Decision: (G) Grant

Decision Date: 7-22-2019

ORD that the time for the respondent to file its respondent's brief is extended to August 21, 2019. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 8-21-2019

Comment: 07-22-19 Order Motion to Extend Time

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OCCD CA 07-02-2019

Attorney Change

Comment: AAG Blimling for State per notice of appearance. Notice of Appearance filed by Atty Blimling

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OCCD CA 06-20-2019

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Filed By: Unassigned District 2

Submit Date: 6-20-2019

Decision: (N) No Action

Decision Date: 7-2-2019

No action.

Comment: Accept BAP?

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OCCD CA 06-20-2019

Brief & Appendix of Appellant(s)

[Brief of Appellant](#)

Filed By: Russell Bohach

Comment: Appx to Brief of Appellant(s) Ack filing of Brief of Appellant, Cvr Ltr & COM

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OCCD CA 05-28-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 5-28-2019

Decision: (G) Grant

Decision Date: 5-29-2019

ORD that the time for the appellant to file his appellant's brief is extended to June 21, 2019. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 6-21-2019

Comment: 05-29-19 Order Motion to Extend Time

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OCCD CA 05-02-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 5-2-2019

Decision: (G) Grant

Decision Date: 5-6-2019

ORD that the time for the appellant to file an appellant's brief is extended to May 31, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).

See BAP event due on 5-31-2019

Comment: 05-06-19 Order Motion to Extend Time

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OCCD CA 03-26-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 3-26-2019

Decision: (G) Grant

Decision Date: 3-27-2019

ORD that the time for the appellant to file an appellant's brief is extended to May 3, 2019. See Wis. Stat.

Rule 809.82(2)(a) (2017-18).  
See BAP event due on 5-3-2019  
Comment: 03-27-19 Order Motion to Extend Time

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OCCD CA 02-20-2019 Motion to Extend Time  
Filed By: Russell Bohach  
Submit Date: 2-20-2019  
Decision: (G) Grant  
Decision Date: 2-21-2019  
ORD that the time for the appellant to file an appellant's brief is extended to March 26, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).  
See BAP event due on 3-26-2019  
Comment: 02-21-19 Order Motion to Extend Time

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OCCD CA 01-17-2019 Order  
ORD that the deadline for the trial court to decide the postconviction motion is extended to September 20, 2018.

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OCCD CA 01-15-2019 Sealed Documents  
Comment: #34

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OCCD CA 01-15-2019 Record  
Comment: 1-2 to 82-1 ELECTRONICALLY FILED Ack filing of CC Record

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OCCD CA 01-09-2019 State Public Defender Order Appointing Counsel

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OCCD CA 01-09-2019 Statement on Transcript  
Filed By: Russell Bohach  
Status: Not Needed  
Comment: Statement on Transcript

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OCCD CA 01-03-2019 Delinquent  
Comment: New due date of connected SRT: 1-10-2019 Delinquent SRT

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OCCD CA 12-07-2018 Notif. Sent-Filing of NAP & Ct. Record  
Comment: Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 12-07-2018 Fee Waived  
Comment: SPD

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OCCD CA 12-07-2018 Notice of Appeal & Circuit Court Docket Entries  
Comment: Notice of Appeal & Court Record

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OCCD CA 12-07-2018 X Transfer

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OCCD CA 12-03-2018 Notice of Appeal filed in Circuit Court  
Comment: Notice of Appeal filed in circuit court

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OCCD CA 11-16-2018 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 11-16-2018  
Decision: (G) Grant  
Decision Date: 11-21-2018  
ORD that the time for filing a notice of appeal is extended to December 7 2018. SEE WIS. STAT. RULE 809(2)(a) (2015-16).  
Comment: 11-21-18 Order MXT to file NAP/PCM

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OCCD CA 09-26-2018 Letter/Correspondence  
Comment: From Honorable Piontek to Attorney Bohach regarding postconviction motion filed in circuit court. Hon Piontek to Atty Bohach re: postconviction

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OCCD CA 09-20-2018 Order of Circuit Court

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OCCD CA 07-31-2018 Mot. Extend Time to Decide Postconviction Motion  
Filed By: Russell Bohach  
Submit Date: 7-31-2018  
Decision: (G) Grant  
Decision Date: 8-1-2018  
ORD that the time for deciding the defendant's postconviction motion is extended to September 13, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
Comment: 08-01-18 Order MXT to Decide Postconviction Motion

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OCCD CA 05-21-2018 Mot. Extend Time to Decide Postconviction Motion  
Filed By: Russell Bohach  
Submit Date: 5-21-2018  
Decision: (G) Grant  
Decision Date: 5-31-2018  
ORD that the time for deciding the defendant's postconviction motion is extended to July 31, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
Comment: 05-31-18 Order MXT to Decide Postconviction Motion

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OCCD CA 03-19-2018 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 3-19-2018  
Decision: (G) Grant  
Decision Date: 3-22-2018  
ORD that the time for filing a notice of appeal or postconviction motion is extended to March 28, 2018.  
Comment: 03-22-18 Order MXT to file NAP/PCM

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OCCD CA 03-05-2018 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 3-5-2018  
Decision: (G) Grant  
Decision Date: 3-7-2018  
ORD that the time for filing a notice of appeal or postconviction motion is extended to March 16, 2018.



See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
Comment: 03-07-18 Order MXT to file NAP/PCM

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OCCD CA 02-19-2018 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 2-19-2018  
Decision: (G) Grant  
Decision Date: 2-20-2018  
ORD that the time for filing a notice of appeal or postconviction motion is extended to March 2, 2018.  
See Wis. Stat. Rule 809.82(2)(a).  
Comment: 02-20-18 Order MXT to file NAP/PCM

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OCCD CA 01-05-2018 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 1-5-2018  
Decision: (G) Grant  
Decision Date: 1-9-2018  
ORD that the time for filing a notice of appeal or postconviction motion is extended to February 16, 2018. See Wis. Stat. Rule 809.82(2)(a).  
Comment: 01-09-18 Order MXT to file NAP/PCM

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OCCD CA 11-16-2017 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 11-16-2017  
Decision: (G) Grant  
Decision Date: 11-20-2017  
ORD that the time for filing a notice of appeal or postconviction motion is extended to January 5, 2018.  
See Wis. Stat. Rule 809.82(2)(a).  
Comment: 11-20-17 Order MXT to file NAP/PCM

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OCCD CA 09-29-2017 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 9-29-2017  
Decision: (G) Grant  
Decision Date: 10-3-2017  
ORD that the time for filing a notice of appeal or postconviction motion is extended to 11/17/17. See Wis. Stat. Rule 809.82(2)(a).  
Comment: 10-03-17 Order MXT to file NAP/PCM

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OCCD CA 08-01-2017 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 8-1-2017  
Decision: (G) Grant  
Decision Date: 8-2-2017  
ORD that the time for filing a notice of appeal or postconviction motion is extended to September 29, 2017. See Wis. Stat. Rule 809.82(2)(a).  
Comment: 08-02-17 Order MXT to file NAP/PCM

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OCCD CA 06-23-2017 Mot. Extend Time to file NAP/PCM  
Filed By: Russell Bohach  
Submit Date: 6-26-2017

WSCCA Case History

Decision: (G) Grant

Decision Date: 6-27-2017

ORD that the time for filing a notice of appeal or postconviction motion is extended to August 4, 2017.

See Wis. Stat. Rule 809.82(2)(a).

Comment: 06-27-17 Order MXT to file NAP/PCM

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OCCD CA 10-07-2014

Judgment of Circuit Court

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