

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Danny L. Wilber**

**Appeal Number 2016AP000260**

**Court of Appeals District 1**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	04-09-2019		Remittitur Comment: Separate Box
OCCD	CA	01-31-2019		Published Opinion Citation 925 N.W.2d 777
OCCD	CA	01-31-2019		Published Opinion Citation 385 Wis. 2d 513
OCCD	CA	01-31-2019		Opinion Ordered Unpublished
OCCD	SC	01-22-2019		Letter/Correspondence Comment: State advises it opposes petition, will not file formal response unless ordered by court
OCCD	SC	01-07-2019		Fee Paid Comment: Receipt No: 19R 000064
OCCD	SC	01-07-2019		Petition for Review Filed By: Robert Henak Submit Date: 1-23-2019 Decision: (D) Deny Decision Date: 4-9-2019 ORD that the petition for review is denied, without costs.
OCCD	CA	12-26-2018		<a href="#">Opinion/Decision</a> Judge Panel: Brash, Brennan, Kessler Opinion: Opinion Decision: Affirmed Pages: 17 Written by: Kessler, Joan F. Order Text: Order affirmed
OCCD	CA	10-02-2018		Submitted on Briefs

OCCD CA	07-24-2018	Briefs Received At State Law Library
OCCD CA	07-10-2018	Record and Briefs Sent to District 1
OCCD CA	07-06-2018	Certificate of Filing by Mail
	Comment: RE: Reply Brief, Mailed 7-2-18, (IB)	
OCCD CA	07-06-2018	Reply Brief <a href="#">Reply Brief</a>
	Filed By: Robert Henak	
OCCD CA	06-15-2018	Brief of Respondent(s) <a href="#">Brief of Respondent</a>
	Filed By: Lisa Kumfer	
OCCD CA	05-31-2018	Motion to Extend Time
	Filed By: Lisa Kumfer	
	Submit Date: 6-1-2018	
	Decision: (G) Grant	
	Decision Date: 6-4-2018	
	ORD that the deadline for the State to file the respondent's brief in this matter is extended to June 18, 2018.	
	See BRS event due on 6-18-2018	
	Comment: 2	
OCCD CA	05-14-2018	Hold Status
OCCD CA	05-04-2018	Sua Sponte
	Filed By: Unassigned District 1	
	Submit Date: 5-7-2018	
	Decision: (O) Other	
	Decision Date: 5-14-2018	
	ORD that the hold previously imposed in this matter is lifted and this appeal may continue.	
	FRO that the deadline for the respondent to file its opening brief is extended through June 1, 2018, and further briefing shall proceed according to the rules of appellate procedure.	
	Motion Response	
	Filed By: Robert Henak	
	Submit Date: 5-9-2018	
OCCD CA	05-04-2018	Response
	Comment: Per 2/5/18 CTO State to advise court DEC has been issued in 14AP2561; er 2/5/18 CTO State advises McAlister DEC issued 4/17/18, State's position is that briefing should resume	
OCCD CA	01-26-2018	Motion to Stay
	Filed By: Lisa Kumfer	
	Submit Date: 1-26-2018	
	Decision: (G) Grant	

Decision Date: 2-5-2018

IT IS ORDERED that this appeal is held in abeyance pending further order of this court. IT IS FURTHER ORDERED that within thirty days of the date on which the supreme court issues a decision in in State v. McAlister, No. 2014AP2561, the State shall advise this court of the issued decision and whether briefing in this appeal may resume.

Motion Response

Filed By: Robert Henak

Submit Date: 1-31-2018

Comment: pending resolution in State v. McAlister 14AP2561

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OCCD CA 12-21-2017 Motion to Extend Time

Filed By: Lisa Kumfer

Submit Date: 12-21-2017

Decision: (G) Grant

Decision Date: 12-22-2017

ORD that the time for the respondent to file a respondent's brief is extended to February 5, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRS event due on 2-5-2018

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OCCD CA 12-15-2017 Letter/Correspondence

Comment: Atty. Henak advises he has discovered a citation error in appellant's brief.

Letter/Correspondence - Regarding Errors in Appellant's Brief

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OCCD CA 12-15-2017 Sua Sponte

Filed By: Unassigned District 1

Submit Date: 12-15-2017

Decision: (N) No Action

Decision Date: 12-18-2017

No action

Comment: Letter from Atty. Henak re citation errors in BAP, action?

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OCCD CA 12-04-2017 Other Papers

Comment: AAG Kumfer appears for State per ltr. of representation

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OCCD CA 11-29-2017 Certificate of Filing by Mail

Comment: BAP-IB 11/27/17

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OCCD CA 11-29-2017 Brief & Appendix of Appellant(s)

[Brief of Appellant](#)

Filed By: Robert Henak

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OCCD CA 11-14-2017 Supplement to Record

Comment: 103-22 to 109-5

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OCCD CA 11-07-2017 Sua Sponte

Filed By: Unassigned District 1

Submit Date: 11-7-2017

Decision: (O) Other

Decision Date: 11-9-2017

ORD that within 14 days of the date of this order, the clerk of the circuit court shall transmit, by supplemental return, the trial exhibits list(s) and "documentary and photographic exhibits admitted at trial" as previously ordered.

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OCCD CA 10-30-2017

Motion to Correct/Supplement Record

Filed By: Robert Henak  
Submit Date: 10-31-2017  
Decision: (G) Grant  
Decision Date: 11-1-2017

ORD that the clerk of the circuit court shall include the above-listed items in the appellate record no later than 1 days from the date of this order.

FRO that the deadline for filing the appellant's brief is extended until 14 days after the date the record is supplemented.

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OCCD CA 09-15-2017

Attorney Change

Comment: AAG Kumfer appears for State per ltr. of representation

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OCCD CA 09-13-2017

Motion for Remand

Filed By: Robert Henak  
Submit Date: 9-13-2017  
Decision: (D) Deny  
Decision Date: 10-3-2017

IT IS ORDERED that the motion for a stay and remand is denied.

IT IS FURTHER ORDERED that the deadline for Wilber to file his appellants brief and appendix is extended to November 2, 2017.

Motion Response

Filed By: Lisa Kumfer  
Submit Date: 9-25-2017

Comment: and to Stay Proceedings on Appeal.

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OCCD CA 07-14-2017

Motion to Extend Time

Filed By: Robert Henak  
Submit Date: 7-14-2017  
Decision: (G) Grant  
Decision Date: 7-17-2017

IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until September 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (205-16).

See BAP event due on 9-15-2017

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OCCD CA 07-05-2017

Attorney Change

Comment: W/drew Atty Kurzynski, added Attys Ellen and Robert Henak as counsel for appellant per filing of Notice of Substitution of Counsel.

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OCCD CA 05-16-2017

Motion to Extend Time

Filed By: Thomas Kurzynski  
Submit Date: 5-17-2017  
Decision: (G) Grant  
Decision Date: 5-19-2017

ORD that the deadline for Wilber to file an appellate brief and appendix is extended through July 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BAP event due on 7-17-2017

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OCCD CA 04-18-2017 Motion to Extend Time  
Filed By: Thomas Kurzynski  
Submit Date: 4-18-2017  
Decision: (G) Grant  
Decision Date: 4-19-2017  
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until May 16, 2017.  
See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 5-16-2017  
Comment: 7

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OCCD CA 02-14-2017 Motion to Extend Time  
Filed By: Thomas Kurzynski  
Submit Date: 2-15-2017  
Decision: (G) Grant  
Decision Date: 2-16-2017  
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until April 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 4-17-2017  
Comment: 6

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OCCD CA 12-16-2016 Motion to Extend Time  
Filed By: Thomas Kurzynski  
Submit Date: 12-16-2016  
Decision: (G) Grant  
Decision Date: 12-20-2016  
ORD that the deadline for Wilber to file his appellant's brief and appendix is extended to February 14, 2017.  
See BAP event due on 2-14-2017  
Comment: 5th

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OCCD CA 10-17-2016 Motion to Extend Time  
Filed By: Thomas Kurzynski  
Submit Date: 10-18-2016  
Decision: (G) Grant  
Decision Date: 10-19-2016  
IT IS ORDERED that the deadline for Wilber to file a brief and appendix is extended through December 16, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
See BAP event due on 12-16-2016  
Comment: 4th

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OCCD CA 08-16-2016 Motion to Extend Time  
Filed By: Thomas Kurzynski  
Submit Date: 8-17-2016  
Decision: (G) Grant  
Decision Date: 8-18-2016  
IT IS ORDERED that the deadline for Wilber to file a brief and appendix is extended through October 17, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
See BAP event due on 10-17-2016  
Comment: 3d

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OCCD CA	06-20-2016	Motion to Extend Time
Filed By: Thomas Kurzynski Submit Date: 6-20-2016 Decision: (G) Grant Decision Date: 6-21-2016 IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until August 6, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 8-16-2016		
OCCD CA	04-18-2016	Motion to Extend Time
Filed By: Thomas Kurzynski Submit Date: 4-19-2016 Decision: (G) Grant Decision Date: 4-20-2016 ORD that the time for the appellant to file an appellant's brief is extended until June 17, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BAP event due on 6-17-2016		
OCCD CA	03-09-2016	Record
Comment: 1-13 to 102-5, separate box		
OCCD CA	02-15-2016	Statement on Transcript
Filed By: Thomas Kurzynski Status: Prev. Filed		
OCCD CA	02-08-2016	Fee Paid
Comment: Invoice No: 17867; Receipt No: 16R 000342		
OCCD CA	02-08-2016	Invoice Issued
Comment: Invoice No: 17867		
OCCD CA	02-05-2016	Court Order for Filing Fee Issued
OCCD CA	02-05-2016	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	02-04-2016	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	02-01-2016	Notice of Appeal filed in Circuit Court
OCCD CA	11-25-2015	Order of Circuit Court