

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Kenneth M. Sobczak

Appeal Number 2010AP003034 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	11-15-2013		Letter/Correspondence Comment: from U.S. Supreme Court advising petition for writ of cert denied
OCCD	SC	09-30-2013		Letter/Correspondence Comment: from U.S. Supreme Court; petition for writ of certiorari filed; docket No. 13-6549
OCCD	SC	07-23-2013		Remittitur
OCCD	SC	06-20-2013		Cites 833 N.W.2d 59
OCCD	SC	06-20-2013		Cites 347 Wis. 2d 724
OCCD	SC	06-20-2013		Opinion/Decision Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Affirmed Pages: 30 Written by: Gableman, Michael J. Abrahamson, Shirley S. Wrote Dissenting Opinion 28 pages. Ziegler, Annette K. Wrote Concurring Opinion 5 pages. Bradley, Ann Walsh Joined Dissenting Opinion Order Text: The decision of the court of appeals is affirmed. David T. Prosser, J., did not participate.
OCCD	SC	06-19-2013		Public Domain Citation Comment: PDC No: 2013 WI 52
OCCD	SC	12-04-2012		Oral Argument Comment: 1st case; 9:45 a.m. Andrew Hinkel atty for the Def-App-Pet; Warren D. Weinstein atty for the Pla-Resp.

OCCD SC	11-19-2012	Briefs Received At State Law Library
OCCD SC	11-07-2012	Reply Brief-Supreme Court Reply Brief-Supreme Court
	Filed By: Andrew Hinkel	
OCCD SC	10-24-2012	Response Brief-Supreme Court Response Brief-Supreme Court
	Filed By: Warren Weinstein	
OCCD SC	10-22-2012	Briefs Received At State Law Library
OCCD SC	10-11-2012	Assigned-Oral Argument
OCCD SC	10-04-2012	First Brief-Supreme Court First Brief-Supreme Court
	Filed By: Andrew Hinkel	
	Comment: First Brief-Supreme Court Appx to First Brief-Supreme Court	
OCCD SC	06-26-2012	Motion to Correct/Supplement Record
	Filed By: Warren Weinstein	
	Submit Date: 7-9-2012	
	Decision: (D) Deny	
	Decision Date: 9-17-2012	
	ORD that the motion is denied.	
	Ziegler, J., dissents.	
	Prosser, J., did not participate.	
	Motion Response	
	Filed By: Andrew Hinkel	
	Submit Date: 7-9-2012	
	Motion Response	
	Filed By: Warren Weinstein	
	Submit Date: 7-13-2012	
OCCD SC	06-13-2012	Court Changed to Supreme Court
OCCD SC	04-05-2012	Motion for Miscellaneous Relief
	Filed By: Andrew Hinkel	
	Submit Date: 4-5-2012	
	Decision: (G) Grant	
	Decision Date: 4-6-2012	
	ORD that the motion is granted. Defendant-appellant-petitioner's reply is accepted for filing.	
	Comment: Motion for leave to file a reply to plaintiff-respondent's response in opposition to petition for review	
OCCD SC	02-07-2012	Sua Sponte
	Filed By: Supreme Court Supreme Court	
	Submit Date: 2-7-2012	
	Decision: (O) Other	

Decision Date: 2-8-2012

ORD that counsel for defendant-appellant-petitioner shall file a statement in support of the petition for review, conforming to the requirements of Wis. Stat. ss. 809.62(2) nd (4), on or before 3/22/12.

Comment: SPD Ehmann's response to 1/25/12 CTO; SPD appointed; set deadline for statement in support?

OCCD	SC	02-06-2012	Response
Comment: from SPD Joseph N. Ehmann, advising Sobczak is eligible for appointed counsel; SPD Andrew Hinkel appointed			

OCCD	CA	02-06-2012	Final Publication
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OCCD	CA	01-25-2012	Cites
808 N.W.2d 730			

OCCD	CA	01-25-2012	Cites
338 Wis. 2d 410			

OCCD	CA	01-25-2012	Opinion Ordered Published
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OCCD	CA	01-25-2012	Public Domain Citation
Comment: PDC No: 2012 WI App 6			

OCCD	CA	01-23-2012	Motion for Reconsideration
Filed By: Kenneth Sobczak			
Submit Date: 1-23-2012			
Decision: (D) Deny			
Decision Date: 1-27-2012			
ORD that the motion for reconsideration is denied.			
Comment: LATE; no acknowledgment notice sent			

OCCD	SC	01-19-2012	Petition for Review
Filed By: Joseph Ehmann			
Submit Date: 4-2-2012			
Decision: (G) Grant			
Decision Date: 6-13-2012			
ORD petition for review granted. Briefs/statements due 30/20/10.			
Prosser, J., did not participate.			
Motion Response			
Filed By: Andrew Hinkel			
Submit Date: 4-2-2012			
Motion Response			
Filed By: Warren Weinstein			
Submit Date: 4-2-2012			
Comment: 1/25/12 CTO sent in lieu of acknowledgment; PRE held in abeyance pending SPD determination on eligibility for appointed counsel; SPD to advise by 2/16/12 whether will appoint counsel; SPD Ehmann's response to 1/25/12 CTO filed 2/7/12; statement in support filed 3/19/12			

OCCD	SC	01-19-2012	Motion for Miscellaneous Relief
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Filed By: Joseph Ehmann

Submit Date: 1-20-2012

Decision: (G) Grant

Decision Date: 1-25-2012

ORD that the State Public Defender's request is granted and its filing shall be deemed to be a timely but nonconforming petition for review.;

FRO that defendant-appellant-petitioner's petition for review shall be temporarily held in abeyance until further order of the court while the State Public Defender shall determine whether the defendant-appellant-petitioner is eligible for appointed representation.

FRO that on or before 2/16/12, the State Public Defender shall notify the court, in writing, whether it will appoint counsel for the defendant-appellant-petitioner. The court will then establish a deadline for the filing of a statement in support of the petition, conforming to the requirements of Wis. Stat. ss. 809.62(2) and (4), by either appointed counsel or the defendant-appellant-petitioner pro se.

Comment: Request to construe document as timely PRE and extend time to file conforming PRE

OCCD CA 12-21-2011

[Opinion/Decision](#)

Judge Panel: Nettesheim, Neubauer, Reilly

Opinion: Opinion

Decision: Affirmed Pages: 8

Written by: Reilly, Paul F.

Order Text: Judgment affirmed.

OCCD CA 10-19-2011

Submitted on Briefs

OCCD CA 08-12-2011

Briefs Received At State Law Library

OCCD CA 07-25-2011

Record and Briefs Sent to District 2

OCCD CA 07-22-2011

Reply Brief

[Reply Brief](#)

Filed By: Ryan Hetzel

Comment: Please note that the case suffix has been added to the cover of the brief. RECD 10 addl copies of CA brief for SC use 8-16-12.

OCCD CA 07-07-2011

Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: Warren Weinstein

Comment: RECD 10 addl copies of CA brief for SC use. 7-13-12

OCCD CA 06-15-2011

Motion to Correct/Supplement Record

Filed By: Warren Weinstein

Submit Date: 6-28-2011

Decision: (O) Other

Decision Date: 6-30-2011

ORD that the motion to supplement the record on appeal is denied.

FRO that the respondent's brief shall be filed within 10 days of the date of this order.

Motion Response

Filed By: Ryan Hetzel

Submit Date: 6-28-2011

OCCD CA 05-26-2011 Interim Motion for Reconsideration
Filed By: Ryan Hetzel
Submit Date: 5-26-2011
Decision: (D) Deny
Decision Date: 5-31-2011
ORD that the court declines to reconsider the May 25, 2011 order extending the time for the State to brief this appeal.
Comment: Objection to motion for extension construed as motion to reconsider order granting motion

OCCD CA 05-23-2011 Motion to Extend Time
Filed By: Warren Weinstein
Submit Date: 5-23-2011
Decision: (G) Grant
Decision Date: 5-25-2011
ORD that the time for the respondent to file its respondent's brief is extended to 6/17/11. See Wis. Stat. Rule 809.82(2)(a).
See BRS event due on 6-17-2011

OCCD CA 03-23-2011 Motion to Extend Time
Filed By: Warren Weinstein
Submit Date: 3-23-2011
Decision: (G) Grant
Decision Date: 3-25-2011
ORD that the time permitted the State for filing its brief and appendix is extended to May 23, 2011. See WIS. STAT. RULE 809.82(2)(a) (2009-10).
See BRS event due on 5-23-2011

OCCD CA 03-02-2011 Attorney Change
Comment: AAG Warren D. Weinstein for State per letter notice of appearance

OCCD CA 02-22-2011 Certificate of Filing by Mail
Comment: For BAP filed on 2/22/11

OCCD CA 02-18-2011 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Ryan Hetzel
Comment: Please note an amended signature page per Rule 802.05/809.19(1)(h) has been added to all briefs. RECD 10 addl copies of CA brief for SC use 8-16-12. Appx of Appellant(s)

OCCD CA 01-11-2011 Record

OCCD CA 12-17-2010 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 12-17-2010 Docketing Statement from Appellant

WSCCA Case History

OCCD CA	12-17-2010	Fee Paid
OCCD CA	12-17-2010 Filed By: Ryan Hetzel Status: Prev. Filed	Statement on Transcript
OCCD CA	12-17-2010	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	12-15-2010	Notice of Appeal filed in Cir. Ct.
OCCD CA	10-18-2010	Judgment of Circuit Court