

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Dale R. Neumann

Appeal Number 2011AP001044 - CR

CONSOLIDATED - [List of Consolidated Cases](#)
Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|--|
| OCCD | SC | 11-07-2013 | | Letter/Correspondence Comment: From the U.S. Supreme Court Clerk's Office: petition for writ of certiorari denied 11/4/13. |
| OCCD | SC | 08-07-2013 | | Remittitur |
| OCCD | SC | 07-03-2013 | | Cites 348 Wis. 2d 455 |
| OCCD | SC | 07-03-2013 | | Cites 832 N.W.2d 560 |
| OCCD | SC | 07-03-2013 | | Opinion/Decision Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Affirmed Pages: 71 Written by: Abrahamson, Shirley S. Prosser, David T. Jr. Wrote Dissenting Opinion 23 pages. Order Text: The judgments of conviction and orders denying postconviction relief are affirmed. |
| OCCD | SC | 07-02-2013 | | Public Domain Citation Comment: PDC No: 2013 WI 58 |
| OCCD | SC | 12-04-2012 | | Oral Argument Comment: 2nd case, 9:45 a.m. Byron C. Lichstein atty for the Def-App (Leilani Neumann), Steven L. Miller atty for the Def-App (Dale Neumann); Maura F.J. Whelan atty for the Pla-Resp. |
| OCCD | SC | 11-26-2012 | | Motion for Miscellaneous Relief Filed By: Steven Miller Submit Date: 11-28-2012 Decision: (G) Grant Decision Date: 11-28-2012 ORD that the motion is granted. Each defendant-appellant counsel shall have 12 1/2 minutes for main |

argument and each defendant-appellant counsel shall have 5 minutes of rebuttal time at oral argument scheduled on December 4, 2012.

Comment: Request for each DEF-APP attorney to receive 5 minutes for rebuttal at oral argument (Atty. Lichstein joins request).

| | | | |
|------|----|------------|------------------------|
| OCCD | SC | 10-11-2012 | Assigned-Oral Argument |
|------|----|------------|------------------------|

| | | | |
|------|----|--|---------------------------------|
| OCCD | SC | 09-26-2012 | Motion for Miscellaneous Relief |
| | | Filed By: Byron Lichstein | |
| | | Submit Date: 9-26-2012 | |
| | | Decision: (G) Grant | |
| | | Decision Date: 9-26-2012 | |
| | | ORD that the motion is granted. Parties to be notified of the rescheduled date and time for oral argument in due course. | |
| | | Comment: Motion to Adjourn Oral Argument Based on Counsel's Health | |

| | | | |
|------|----|---|-----------------------|
| OCCD | SC | 08-27-2012 | Letter/Correspondence |
| | | Comment: Letter from AAG Whelan regarding questions concerning oral argument. | |

| | | | |
|------|----|---|----------|
| OCCD | SC | 08-07-2012 | Response |
| | | Comment: **10 EXTRA COPIES OF CA BRIEFS FOR SC, unless standing on CA briefs, then need 17 ** | |

| | | | |
|------|----|------------|------------------------|
| OCCD | SC | 07-31-2012 | Assigned-Oral Argument |
|------|----|------------|------------------------|

| | | | |
|------|----|------------|-------------|
| OCCD | CA | 06-14-2012 | Hold Status |
|------|----|------------|-------------|

| | | | |
|------|----|------------|--------------------------------|
| OCCD | SC | 06-13-2012 | Court Changed to Supreme Court |
|------|----|------------|--------------------------------|

| | | | |
|------|----|---|---------------------|
| OCCD | SC | 05-01-2012 | Certification Filed |
| | | Filed By: Unassigned District 3 | |
| | | Submit Date: 5-1-2012 | |
| | | Decision: (G) Grant | |
| | | Decision Date: 6-13-2012 | |
| | | IT IS ORDERED the certification is granted. Briefs/statements 30/20/10, may stand on Court of Appeals briefs. | |
| | | See DEC event filed on 5-1-2012 | |

| | | | |
|------|----|--|----------------------------------|
| OCCD | CA | 05-01-2012 | Opinion/Decision |
| | | Judge Panel: Hoover, Peterson, Mangerson | |
| | | Opinion: Certification | |
| | | Decision: Certification Filed Pages: 8 | |
| | | Order Text: We certify these appeals to the Wisconsin Supreme Court to decide issues of statutory construction, constitutional rights and appropriate jury instructions for individuals charged with reckless homicide based on their choice to rely on prayer instead of medical treatment, resulting in their child's death. Judgment affirmed | |

| | | | |
|------|----|------------|---------------------|
| OCCD | CA | 02-21-2012 | Submitted on Briefs |
|------|----|------------|---------------------|

| | | |
|---------|---|--|
| OCCD CA | 11-14-2011 | Briefs Received At State Law Library |
| OCCD CA | 11-08-2011 | Record and Briefs Sent to District 3 |
| OCCD CA | 11-04-2011 Comment: [2011AP001044, 2011AP001105] | Consolidated Case |
| OCCD CA | 11-04-2011 Comment: BRY | Certificate of Filing by Mail |
| OCCD CA | 11-02-2011 Filed By: Steven Miller Comment: On 8/7/12, rec'd 17 copies of CA briefs for SC. | Reply Brief Reply Brief |
| OCCD CA | 10-18-2011 Filed By: Maura Whelan Comment: Recd 17 copies of CA briefs for SC use 7-30-12 | Brief of Respondent(s) Brief of Respondent |
| OCCD CA | 10-17-2011 Filed By: Maura Whelan Submit Date: 10-17-2011 Decision: (G) Grant Decision Date: 10-18-2011 ORD that the motions are granted and the briefs are accepted for filing. Comment: Motion for Word Enlargement | Motion to Extend Pages In Brief |
| OCCD CA | 08-08-2011 Filed By: Maura Whelan Submit Date: 8-9-2011 Decision: (G) Grant Decision Date: 8-10-2011 ORD that the time for filing the respondent's briefs is extended to 10/17/11. See BRS event due on 10-17-2011 | Motion to Extend Time |
| OCCD CA | 07-25-2011 Comment: Added AAG Whelan as counsel for plaintiff-respondent and withdrew AAG Weber. | Attorney Change |
| OCCD CA | 07-21-2011 Comment: BAP Brief | Certificate of Filing by Mail |
| OCCD CA | 07-19-2011 | Brief & Appx of Appellant(s) Brief of Appellant |

Filed By: Steven Miller

Comment: On 7/16/12, rec'd 17 copies of BAP for SC. Included with BAP was COM for 7/12/12.

| | | |
|---|------------|-----------------------|
| OCCD CA | 06-29-2011 | Motion to Consolidate |
| Filed By: Steven Miller Submit Date: 6-29-2011 Decision: (O) Other Decision Date: 6-30-2011 ORD that these appeals are consolidated for decision only. The appellants each retain full briefing rights and the State may file a separate respondent's brief in each case. FRO that to the extent the appellants seek permission to refer to and incorporate by reference portions of the other's brief, that request is denied. FRO that the appellants' respective briefs are due 7/19/11. Motion Response Filed By: Gregory Weber Submit Date: 6-29-2011 Comment: [2011AP001044, 2011AP001105] Joint Motion to Consolidate Appeals and Extend Time for Filing Brief | | |

| | | |
|-----------------------------------|------------|------------------|
| OCCD CA | 06-02-2011 | Sealed Documents |
| Comment: SLD # 10 and 13; PSI #87 | | |

| | | |
|--------------------------------------|------------|--------|
| OCCD CA | 06-02-2011 | Record |
| Comment: 1-28 to 119-1; Separate Box | | |

| | | |
|---------|------------|--|
| OCCD CA | 05-10-2011 | Notif. Sent-Filing of NAP & Ct. Record |
|---------|------------|--|

| | | |
|--|------------|----------------------|
| OCCD CA | 05-10-2011 | Indigency Forms Sent |
| Filed By: Unassigned District 3 Submit Date: 5-24-2011 Decision: (G) Grant Decision Date: 5-24-2011 ORD court grants permission to proceed without payment of filing fee. Motion Response Filed By: Dale Neumann Submit Date: 5-24-2011 | | |

| | | |
|---------|------------|------------|
| OCCD CA | 05-10-2011 | X Transfer |
|---------|------------|------------|

| | | |
|--|------------|-------------------------|
| OCCD CA | 05-09-2011 | Statement on Transcript |
| Filed By: Steven Miller Status: Prev. Filed | | |

| | | |
|---------|------------|---|
| OCCD CA | 05-09-2011 | Notice of Appeal & Circuit Court Docket Entries |
|---------|------------|---|

| | | |
|---------|------------|------------------------------------|
| OCCD CA | 05-05-2011 | Notice of Appeal filed in Cir. Ct. |
|---------|------------|------------------------------------|

| | | |
|---------|------------|------------------------|
| OCCD CA | 04-27-2011 | Order of Circuit Court |
|---------|------------|------------------------|

| | | |
|---|------------|--|
| OCCD CA | 03-01-2011 | Mot. Extend Time to Decide Postconviction Motion |
| Filed By: Steven Miller Submit Date: 3-1-2011 Decision: (G) Grant Decision Date: 3-3-2011 ORD that the time for deciding the postconviction motion is extended to 4/30/11. | | |
| OCCD CA | 10-21-2010 | Attorney Change |
| OCCD CA | 10-05-2010 | Mot. Extend Time to file Transcript |
| Filed By: Pamela Bright Submit Date: 10-6-2010 Decision: (G) Grant Decision Date: 10-7-2010 ORD that the time for filing transcripts is extended to 10/30/10. | | |
| OCCD CA | 07-12-2010 | Mot. Extend Time to file Transcript |
| Filed By: Pamela Bright Submit Date: 7-12-2010 Decision: (G) Grant Decision Date: 7-13-2010 ORD that the time for filing transcripts is extended to 9/10/10. | | |
| OCCD CA | 07-12-2010 | Mot. Extend Time to file NAP/PCM |
| Filed By: Marion Buckley Submit Date: 7-12-2010 Decision: (O) Other Decision Date: 7-13-2010 ORD that the time for filing transcripts is extended to 9/10/10. | | |
| OCCD CA | 05-17-2010 | Mot. Extend Time to file NAP/PCM |
| Filed By: Marion Buckley Submit Date: 5-17-2010 Decision: (G) Grant Decision Date: 5-19-2010 ORD that the time for ordering additional transcripts is extended to 5/12/10 to make timely the request made on that date. The time for filing a postconviction motion or notice of appeal will run from the date the additional transcripts are served. | | |
| OCCD CA | 03-15-2010 | Miscellaneous Motion on XX-Case |
| Filed By: Marion Buckley Submit Date: 3-15-2010 Decision: (G) Grant Decision Date: 3-16-2010 ORD that the motion is granted. | | |
| OCCD CA | 11-11-2009 | Judgment of Circuit Court |

