Wisconsin Supreme Court and Court of Appeals Case Access

State v. Timothy L. Finley, Jr.

Appeal Number 2014AP002488 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-24-2016		Remittitur
OCCD	SC	07-12-2016		Cites
	370 Wis. 2d 402			
OCCD	SC	07-12-2016		Cites
	882 N.W.2d 761			
OCCD	SC	07-12-2016		Opinion/Decision
	Judge Panel: Roggensack, Abrahamson, Bradley, Prosser, Ziegler, Gableman, Bradley Opinion: Opinion Decision: Affirmed and remanded Pages: 44 Written by: Abrahamson, Shirley S. Ziegler, Annette K. Wrote Dissenting Opinion 40 pages. Bradley, Rebecca G. Wrote Dissenting Opinion 19 pages. Order Text: The decision of the court of appeals is affirmed and the cause is remanded to the circuit court.			
OCCD	SC	07-08-2016		Public Domain Citation
	Comment: PDC No: 2016 WI 63			
OCCD	SC	04-07-2016		Oral Argument
	Comment: 1st case, 9:45 a.m. Atty Thomas J Balistreri for Pla-Res-Pet; Atty Catherine Malchow for Def-App			
OCCD	SC	03-22-2016		Briefs Received At State Law Library
OCCD	SC	03-16-2016		Reply Brief-Supreme Court Reply Brief-Supreme Court
	Filed By: Thomas Balistreri			
OCCD	SC	03-15-2016		Letter/Correspondence

Comment: From Clerk's Office to counsel: confirming oral argument date/time April 7, 2016 @ 9:45 a.m.

OCCD SC 03-11-2016 Assigned-Oral Argument

OCCD SC 03-01-2016 Response Brief-Supreme Court
Response Brief-Supreme Court

Filed By: Catherine Malchow

OCCD SC 02-10-2016 First Brief-Supreme Court
First Brief-Supreme Court

Filed By: Thomas Balistreri
Comment: Appx to First Brief-Supreme Court

OCCD SC 01-28-2016 Response

Comment: 10 addl copies of CA briefs for SC

OCCD SC 01-20-2016 Attorney Change

Comment: Added ASPD Malchow as counsel for Timothy Finley per filing of Notice of Entry of Appearance.

OCCD SC 01-11-2016 Caption Amended

OCCD SC 01-11-2016 Court Changed to Supreme Court

OCCD CA 11-11-2015 Final Publication

OCCD CA 10-30-2015 Fee Waived

Comment: Filed by AG

OCCD SC 10-29-2015 Petition for Review

Filed By: Thomas Balistreri
Submit Date: 11-17-2015
Decision: (G) Grant
Decision Date: 1-11-2016
ORD petition granted. FRO briefs due 30/20/10. 1. SHIRLEY S. ABRAHAMSON, J. (concurring in part, dissenting in part). I concur in part and dissent in part from the orders granting review in three cases, State v. Finley, 14AP2488-CR, Wisconsin Carry v. City of Madison, 2015AP146, and Regency West Apartments v. Racine, 2014AP2947. The efforts of one member of the court to unilaterally issue the grant orders threatened to contravene the court's internal procedures and raises the scent of lawlessness in this court. 2. On November 16, 2015, the court adopted a procedure governing when a justice may hold a matter in which a Commissioner of the SC recommended granting review. The procedure provides as follows: A justice, who wishes to hold a matter for which a Commissioner has recommended granting review, must submit in writing, with his or her e-mail votes, the specific reason(s) why he or she would not approve the grant as recommended by the Commissioner. Within 5 calendar days of that writing, all justices shall vote, by e-mail, to grant the matter, deny the matter, or otherwise approve the suggestions in the written proposal. If sufficient votes to grant the matter remain, the grant order shall issue within two business days. If the matter no longer has the requisite votes to grant, it shall be discussed in a court conference, but in any event, no later than at the next in-person

petition for review conference. 3. The procedure was adopted pursuant to the Introduction to the SC's Internal Operating Procedures, which states that the IOP "may be changed without notice as circumstances require." The new procedure was adopted without any notice to the SC Commissioners and Clerk of the Supreme Court, let alone the litigants, lawyers, and the public. As a result, even members of the court staff are not apprised of the court's internal procedures and may err in their work. 4. A Commissioner of the SC recommended granting review in one of these three cases. In the other two cases, no recommendation regarding the granting of these petitions was made. 5. Although I opposed adopting this procedure, I followed it in holding the petition for review that the Commissioners recommended granting. On 1/7/16, I submitted in writing with my email votes on petitions for review my desire to hold this case and the reason why I would not approve the grant recommended by the Commissioners. According to the process outlined above, the justices are required to respond to my hold within 5 days. 6. Rather than wait for the votes of the justices, shortly after I submitted my holds, one member of the court, emailed the justices that unless she received votes from a majority of the court to honor my holds, orders would issue granting the petitions for review. 7. On 1/8/16, before any votes on my holds were received from any member of the court, a single member of the court emailed the justices that, because no justice had agreed with my request, these orders...

Motion Response
Filed By: Martha Askins
Submit Date: 11-17-2015

OCCD CA 10-28-2015 Cites
872 N.W.2d 344

OCCD CA 10-28-2015 Cites
365 Wis. 2d 275

OCCD CA 10-28-2015 Opinion Ordered Published

OCCD CA 10-28-2015 Public Domain Citation
Comment: PDC No: 2015 WI App 79

OCCD CA 09-30-2015 Opinion/Decision
Judge Panel: Stark, Hruz, Cane
Opinion: Opinion
Decision: Reversed and remanded Pages: 22
Written by: Hruz, Thomas M.
Order Text: Judgment and order reversed and cause remanded for further proceedings with directions.

OCCD CA 05-12-2015 Submitted on Briefs

OCCD CA 04-06-2015 Briefs Received At State Law Library

OCCD CA 03-18-2015 Record and Briefs Sent to District 3

OCCD CA 03-17-2015 Reply Brief
Reply Brief
Filed By: Martha Askins

Comment: received 10 copies of CA BRY for SC use 1/27/16 EW

OCCD CA 02-27-2015 Brief of Respondent(s)
Brief of Respondent

Filed By: Thomas Balistreri

Comment: received 10 copies of CA BRS for SC use 1/28/16 EW

OCCD CA 01-16-2015 Motion to Extend Time

Filed By: Thomas Balistreri
Submit Date: 1-20-2015
Decision: (G) Grant
Decision Date: 1-21-2015
ORD that the time for filing the respondent's brief is extended to 3/4/15.
See BRS event due on 3-4-2015

OCCD CA 01-12-2015 Brief & Appx of Appellant(s)
Brief of Appellant

Filed By: Martha Askins

Comment: received 10 copies of CA BAP for SC use 1/27/16 EW Appx to Brief of Appellant(s)

OCCD CA 12-09-2014 Court Order

IT IS ORDERED that the deadline for the trial court to decide the postconviction motion is extended to October 17, 2014.

OCCD CA 12-05-2014 Sealed Documents

Comment: PSI #47

OCCD CA 12-05-2014 Record

Comment: 1-1 to 117-1

OCCD CA 11-14-2014 Court Reporter's Statement-Trans.

Court Reporter Name: (Fick, Jennifer)

OCCD CA 11-12-2014 Transcript filed in Circuit Court

OCCD CA 11-05-2014 Other Papers

Comment: CRS filed by L. Koenig

OCCD CA 11-03-2014 Statement on Transcript

Filed By: Martha Askins
Status: Ordered

OCCD CA 10-27-2014 Notif. Sent-Filing of NAP & Ct. Record

OCCD	CA	10-27-2014 Comment: Filed by SPD	Fee Waived
OCCD	CA	10-27-2014	Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	10-24-2014	Notice of Appeal filed in Cir. Ct.
OCCD	CA	10-08-2014	Order of Circuit Court
OCCD	CA	10-19-2012	Judgment of Circuit Court