

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Derek Asunto

Appeal Number 2015AP000050 - CR

Court of Appeals District 2/1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	12-12-2017		Remittitur
OCCD	CA	09-27-2017 904 N.W.2d 143		Cites
OCCD	CA	09-27-2017 378 Wis. 2d 218		Cites
OCCD	CA	09-27-2017		Opinion Ordered Unpublished
OCCD	SC	09-18-2017 Filed By: Michael Sanders Submit Date: 9-19-2017 Decision: (G) Grant Decision Date: 9-20-2017 ORD that the motion is granted. Plaintiff-respondent's response shall be served and filed on or before October 6, 2017. Comment: MXT to file PRE Response		Motion for Miscellaneous Relief
OCCD	SC	09-05-2017 Comment: SPD/CA		Fee Waived
OCCD	SC	09-05-2017 Filed By: Chris Bailey Submit Date: 10-9-2017 Decision: (D) Deny Decision Date: 12-12-2017 ORD that the petition for review is denied, without costs. Motion Response Filed By: Michael Sanders Submit Date: 10-9-2017		Petition for Review
OCCD	CA	08-08-2017		Opinion/Decision

Judge Panel: Kessler, Dugan, Brash
Opinion: Opinion
Decision: Affirmed Pages: 11
Written by: Kessler, Joan F.
Order Text: Order affirmed

OCCD CA	04-06-2017	Submitted on Briefs
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OCCD CA	12-01-2016	Briefs Received At State Law Library
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OCCD CA	11-17-2016	Record and Briefs Sent to District 1
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OCCD CA	11-15-2016	Certificate of Filing by Mail
	Comment: BRY	

OCCD CA	11-09-2016	Reply Brief Reply Brief
	Filed By: Chris Bailey	

OCCD CA	10-04-2016	Motion to Extend Time
	Filed By: Chris Bailey	
	Submit Date: 10-5-2016	
	Decision: (G) Grant	
	Decision Date: 10-6-2016	
	ORD that the deadline for Asunto to file a reply brief is extended through November 9, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BRY event due on 11-9-2016	

OCCD CA	09-21-2016	Brief of Respondent(s) Brief of Respondent
	Filed By: Michael Sanders	

OCCD CA	09-06-2016	Motion to Extend Time
	Filed By: Michael Sanders	
	Submit Date: 9-7-2016	
	Decision: (G) Grant	
	Decision Date: 9-8-2016	
	IT IS ORDERED that the deadline for the State of Wisconsin to file its brief is extended through September 21, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BRS event due on 9-21-2016	

OCCD CA	08-25-2016	Attorney Change
	Comment: Withdrew Christopher G. Wren, AAG, added Michael C. Sanders, AAG per letter of representation.	

OCCD CA	08-19-2016	Motion to Extend Time
	Filed By: Christopher Wren	
	Submit Date: 8-19-2016	

Decision: (G) Grant
Decision Date: 8-23-2016
ORD that the deadline for the State of Wisconsin to file its brief is extended through September 6, 2016.
See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRS event due on 9-6-2016

OCCD CA 07-20-2016 Motion to Extend Time
Filed By: Christopher Wren
Submit Date: 7-21-2016
Decision: (G) Grant
Decision Date: 7-22-2016
IT IS ORDERED that the deadline for the State to file its brief is extended through August 19, 2016. See
Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRS event due on 8-19-2016

OCCD CA 06-21-2016 Certificate of Filing by Mail
Comment: BAP

OCCD CA 06-17-2016 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Chris Bailey

OCCD CA 06-02-2016 Supplement to Record
Comment: 113-3 to 114-1

OCCD CA 05-23-2016 Other Papers
Comment: ltr., Atty.Bailey advises based on additional issues raised by prior counsel and research, he
has ordered copies of 5/4/11; 5/25/11, and 11/17/11 transcripts for Attorney General's office.

OCCD CA 05-20-2016 Motion to Correct/Supplement Record
Filed By: Chris Bailey
Submit Date: 5-20-2016
Decision: (O) Other
Decision Date: 5-24-2016
ORD that the clerk of the circuit court shall file a supplemental return to include the above-listed item no
later than five days from the date of this order.
FRO that the deadline for filing the appellant's brief is extended until 15 days from the date the record is
supplemented.
Comment: 5/24/16 - rcvd. copy of MCR via first class mail

OCCD CA 03-21-2016 Motion to Extend Time
Filed By: Chris Bailey
Submit Date: 3-21-2016
Decision: (G) Grant
Decision Date: 3-22-2016
IT IS ORDERED that the deadline for Asunto to file his appellant's brief and appendix is extended to
May 27, 2016.
See BAP event due on 5-27-2016
Comment: 3/25/16: paper copy received

OCCD CA	01-26-2016	Motion to Extend Time
Filed By: Chris Bailey Submit Date: 1-26-2016 Decision: (G) Grant Decision Date: 1-29-2016 ORD that the deadline for Asutno to file his appellant's brief and appendix is extended to March 28, 2016. See BAP event due on 1-27-2016 Comment: 12/28/16, recv'd add'l mailed copy of motion		
OCCD CA	01-13-2016	Supplement to Record
Comment: 111-10 to 112-1		
OCCD CA	12-28-2015	Motion to Correct/Supplement Record
Filed By: Christopher Wren Submit Date: 1-7-2016 Decision: (G) Grant Decision Date: 1-8-2016 IT IS ORDERED that within 10 days of the date of this order, the clerk of the circuit court shall transmit, by supplement return, the postconviction motion filed on 09/16/13, by Atty. John Breffeilh on behalf of Derek Asunto. Motion Response Filed By: Chris Bailey Submit Date: 1-7-2016		
OCCD CA	12-02-2015	Record
Comment: 1-2 to 110-1		
OCCD CA	11-10-2015	Statement on Transcript
Filed By: Chris Bailey Status: Prev. Filed		
OCCD CA	10-30-2015	Notif. Sent-Filing of LVO & Court Record
OCCD CA	10-30-2015	Copy of Order Granting Leave - from Cir. Ct.
OCCD CA	10-23-2015	Copy of CTO Grtg. PLV Filed in Cir. Ct.
OCCD CA	08-18-2015	Sua Sponte
Filed By: Unassigned District 1 Submit Date: 8-18-2015 Decision: (O) Other Decision Date: 10-21-2015 ORD that the petition for leave to appeal is granted. Entry of this order has the effect of the filing of a notice of appeal. See WIS. STAT. RULE 809.50(3) (2013-14). A copy of this order has been forwarded to the clerk of the circuit court. Pursuant to WIS. STAT. RULE 809.11(2), the clerk shall return this order and the docket entries maintained pursuant to WIS. STAT. 59.40 within 3 days of receipt of this order. Comment: SC decision issued, resubmitting PLV per 1/16/15 order.		

OCCD CA	08-18-2015	Hold Status
OCCD CA	03-03-2015	Attorney Change
Comment: ADA Bryan C. Bayer for State per faxed letter notice of appearance - original rec'd 3/5/15		
OCCD CA	02-03-2015	Response
Comment: State's response		
OCCD CA	01-30-2015	Motion to Extend Time
Filed By: Christopher Wren Submit Date: 2-2-2015 Decision: (G) Grant Decision Date: 2-26-2015 IT IS ORDERED that the States response is accepted as timely. IT IS FURTHER ORDERED that the petition for leave to appeal is stayed pending the Wisconsin Supreme Courts decision in State v. Chamblis, Appeal No. 2012AP2782-CR. See RSP event filed on 2-3-2015		
OCCD CA	01-21-2015	Certificate of Service
Comment: Atty Bailey served AG by mail 1/12/15		
OCCD CA	01-16-2015	Court Order
ORD that the deadline for filing a petition for leave to appeal is extended until January 7, 2014, the date Asunto submitted his petition. FRO that the deadline for the State to respond to the petition shall run from the date of this order. FRO that circuit court proceedings are stayed pending disposition of this petition for leave to appeal. See PLV event filed on 1-7-2015		
OCCD CA	01-14-2015	Attorney Change
Comment: AG from Weber to Wren		
OCCD CA	01-13-2015	Certificate of Service
Comment: AG statement that they were served by mail 1/12/15		
OCCD CA	01-13-2015	Certificate of Service
Comment: PLV served on AG by mail 1/12/15 per fax rec'd 1/13/15		
OCCD CA	01-09-2015	Affidavit of No Service filed
Comment: AG affidavit of non service		
OCCD CA	01-08-2015	Transfer to District I
OCCD CA	01-07-2015	Fee Waived
Comment: SPD appointed		

OCCD CA 01-07-2015

Received SPD Appointment Order

OCCD CA 01-07-2015

Motion for Miscellaneous Relief

Filed By: Chris Bailey

Submit Date: 1-7-2015

Decision: (G) Grant

Decision Date: 1-16-2015

ORD that the deadline for filing a petition for leave to appeal is extended until January 7, 2014, the date Asunto submitted his petition. FRO that the deadline for the State to respond to the petition shall run from the date of this order. FRO that circuit court proceedings are stayed pending disposition of this petition for leave to appeal.

Comment: MXT to file PLV

OCCD CA 01-07-2015

Motion for Stay

Filed By: Chris Bailey

Submit Date: 1-7-2015

Decision: (G) Grant

Decision Date: 1-16-2015

ORD that the deadline for filing a petition for leave to appeal is extended until January 7, 2014, the date Asunto submitted his petition. FRO that the deadline for the State to respond to the petition shall run from the date of this order. FRO that circuit court proceedings are stayed pending disposition of this petition for leave to appeal.

Comment: found in conclusion page 3

OCCD CA 01-07-2015

Petition for Leave to Appeal

Filed By: Chris Bailey

Submit Date: 1-8-2015

Decision: (G) Grant

Decision Date: 10-21-2015

ORD that the petition for leave to appeal is granted. Entry of this order has the effect of the filing of a notice of appeal. See WIS. STAT. RULE 809.50(3) (2013-14). A copy of this order has been forwarded to the clerk of the circuit court. Pursuant to WIS. STAT. RULE 809.11(2), the clerk shall return this order and the docket entries maintained pursuant to WIS. STAT. 59.40 within 3 days of receipt of this order.

Motion Response

Filed By: Christopher Wren

Submit Date: 2-3-2015

This motion contains court order(s).

OCCD CA 04-20-2012

Non-Final Order of Circuit Court