## **Wisconsin Supreme Court and Court of Appeals Case** Access

Voces de la Frontera, Inc. v. David A. Clarke, Jr.

## Appeal Number 2015AP001152

**Supreme Court** 

## CASE HISTORY

| Status | Court  | Filing<br>Date | Anticipated Due Date | Activity                                       |
|--------|--------|----------------|----------------------|--|
| OCCD   | SC     | 04-06-2017     |                      | Remittitur                                     |
|        | Comm   | ent: Costs T   | axed.                |  |
| OCCD   | SC     | 03-24-2017     |                      | Costs Taxed                                    |
| OCCD   | SC     | 03-10-2017     |                      | Statement on Costs Filed                       |
|        | Comm   | ent: by Resp   | ondent-Petition      | oner-Appellant-Petitioner David A. Clarke, Jr. |
| OCCD   | SC     | 02-24-2017     |                      | Cites  |
|        | 891 N. | W.2d 803       |                      |  |
| OCCD   | SC     | 02-24-2017     |                      | Cites  |
|        | 373 W  | is. 2d 348     |                      |  |
| OCCD   | SC     | 02-24-2017     |                      | Opinion/Decision                               |

Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly

Opinion: Opinion

Decision: Reversed Pages: 24

Written by: Roggensack, Patience Drake

Abrahamson, Shirley S. Joined Dissenting Opinion

Ziegler, Annette K. Took No Part

Bradley, Ann Walsh Wrote Dissenting Opinion 17 pages.

Order Text: THE DECISION OF THE COURT OF APPEALS IS REVERSED; WRIT OF MANDAMUS IS

QUASHED.

OCCD SC 02-21-2017 Public Domain Citation

Comment: PDC No: 2017 WI 16

OCCD SC Oral Argument 11-03-2016

Comment: 1st case, 9:45 a.m. (rescheduled from 2nd case); Atty Oyvind Wistrom for Res-Pet-App-Pet,

Atty Peter G. Earle for Pet-Res

OCCD SC 10-28-2016 Letter/Correspondence Comment: Atty. Earle requests that Justice Rebecca Bradley recuse herself from case as res-pet-applnt, David A. Clark, Jr., played a high profile in recent election campaign OCCD SC 10-25-2016 Letter/Correspondence Comment: Justice Ziegler advises parties she will not participate in this case. 10-06-2016 OCCD SC Letter/Correspondence Comment: Atty. Westerberg provides new address, contact information, now practicing with Pines Bach LLP OCCD SC 09-22-2016 Briefs Received At State Law Library OCCD SC 09-16-2016 Letter/Correspondence Comment: From Clerk's Office to counsel: oral argument on November 3, 2016 has been moved up from the 2nd case on that date to 1st. OCCD SC 09-01-2016 Brief of Amicus Curiae Brief of Amicus Curiae - Wis. Freedom of Information Council, Wis. Newspaper Association, Wis. Broadcasters Association Filed By: Christa Westerberg OCCD SC 08-17-2016 Motion to File Amicus/Non-Party Brief Filed By: Christa Westerberg Submit Date: 8-17-2016 Decision: (G) Grant Decision Date: 8-18-2016 IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before September 1, 2016. OCCD SC 08-11-2016 Assigned-Oral Argument OCCD SC Reply Brief-Supreme Court 08-10-2016 Reply Brief-Supreme Court Filed By: Oyvind Wistrom OCCD SC 08-04-2016 Response Brief-Supreme Court Response Brief-Supreme Court Filed By: Peter Earle OCCD SC 07-15-2016 Certificate of Filing by Mail Comment: BR1-IB OCCD SC 07-14-2016 First Brief-Supreme Court First Brief-Supreme Court Filed By: Oyvind Wistrom

Comment: Appx to First Brief-Supreme Court

| OCCD | SC   | 06-15-2016                              | Court Changed to Supreme Court  |
|------|--|---|---------------------------------|
| OCCD | CA   | 06-10-2016                              | Final Publication               |
| OCCD |  | 05-25-2016<br>Vis. 2d 103               | Cites                           |
| OCCD |  | 05-25-2016<br>J.W.2d 417                | Cites                           |
| OCCD | CA   | 05-25-2016                              | Opinion Ordered Published       |
| OCCD |  | 05-25-2016<br>ment: PDC No: 2016 WI Ap  | Public Domain Citation op 39    |
| OCCD |  | 05-12-2016<br>ment: Receipt No: 16R 001 | Fee Paid<br>105                 |
| OCCD | SC 05-12-2016  Filed By: Oyvind Wistrom Submit Date: 5-16-2016 Decision: (G) Grant Decision Date: 6-15-2016 ORD that the petition for review is Briefs/statements 30/20/10. Motion Response Filed By: Peter Earle Submit Date: 5-16-2016 |   | Petition for Review is granted. |
| OCCD |  | 05-10-2016<br>ment: emergency stay      | Certificate of Service          |
| OCCD |  | 05-10-2016<br>By: Oyvind Wistrom        | Motion for Stay                 |

Filed By: Oyvind Wistrom Submit Date: 5-10-2016

Decision: (G) Grant Decision Date: 5-12-2016

ORD that the motion for an emergency stay pending petition for supreme court review is granted. FRO that enforcement of the circuit court's order is hereby stayed pending further order of this court.

Comment: emergency stay pending petition for SC review

OCCD CA 04-13-2016 Motion for Stay

Filed By: Oyvind Wistrom Submit Date: 4-13-2016 Decision: (G) Grant Decision Date: 4-13-2016

IT IS ORDERED that enforcement of the circuit courts order is stayed until May 19, 2016.

OCCD CA 04-12-2016 Opinion/Decision

Judge Panel: Brash, Brennan, Kessler

Opinion: Opinion

Decision: Affirmed Pages: 23 Written by: Brennan, Kitty K. Order Text: Order affirmed

| OCCD CA | 02-02-2016 | Submitted on Briefs                  |
|---------|------------|--------------------------------------|
| OCCD CA | 10-28-2015 | Briefs Received At State Law Library |
| OCCD CA | 10-14-2015 | Record and Briefs Sent to District 1 |
| OCCD CA | 10-12-2015 | Reply Brief                          |

Filed By: Oyvind Wistrom

Comment: 10 additional copies of BRY received for SC use. 7/8/16ab Appx to Reply Brief

OCCD CA 10-02-2015 Certificate of Filing by Mail

Comment: BRS

OCCD CA 09-28-2015 Brief of Respondent(s)

Brief of Respondent(s)

Filed By: Peter Earle

Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs., Please be advised that ten (10) copies of briefs are required. 10 additional copies of BRS received for SC use. 6/23/16AB

OCCD CA 09-18-2015 Motion to Extend Time

Filed By: Peter Earle Submit Date: 9-18-2015 Decision: (N) No Action Decision Date: 9-18-2015

IT IS ORDERED that the deadline for Voces De La Frontera, Inc. to file a respondents brief is extended

through September 28, 2015. See WIS. STAT. RULE 809.82(2)(a) (2013-14).

See BRS event due on 10-13-2015

Comment: 2d

OCCD CA 09-15-2015 Motion to Extend Time

Filed By: Peter Earle Submit Date: 9-15-2015 Decision: (G) Grant Decision Date: 9-16-2015

IT IS ORDERED that the deadline for Voces De La Frontera, Inc. to file a respondent's brief is extended

| OCCD |                | 08-24-2015<br>nent: BAP                            | Certificate of Filing by Mail  |
|------|----------------|--|--|
| OCCD | CA             | 08-21-2015   | Brief & Appx of Appellant(s) Brief of Appellant                      |
|      | Filed          | By: Oyvind Wistrom                                 |  |
|      | Comr           | nent: 10 additional copies                         | s of BAP received for SC use. 7/8/16ab Appx to Brief of Appellant(s) |
| OCCD | CA             | 07-20-2015   | Caption Amended  |
| OCCD |                | 07-20-2015   | Other Papers   |
|      | Comr           | nent: Per court, LV suffix                         | removed  |
| OCCD | CA             | 07-15-2015   | Record   |
|      | Comr           | nent: 1-9 to 22-2                                  |  |
| OCCD | Filed          | 06-29-2015<br>By: Oyvind Wistrom<br>s: Prev. Filed | Statement on Transcript  |
| OCCD | CA             | 06-24-2015   | Non Final Dismissal  |
|      | Page:<br>Order |  | on for leave to appeal is dismissed as moot.                         |
| OCCD | CA             | 06-24-2015   | Hold Status  |
| OCCD | CA             | 06-19-2015   | Notif. Sent-Filing of NAP & Ct. Record                               |
| OCCD | CA             | 06-19-2015   | Notice of Appeal & Circuit Court Docket Entries                      |
| OCCD | CA             | 06-17-2015   | Notice of Appeal filed in Cir. Ct.                                   |
| OCCD | CA             | 06-16-2015   | Docketing Statement from Appellant                                   |
| OCCD | CA             | 06-16-2015   | Order of Circuit Court   |
| OCCD |                | 06-11-2015<br>nent: Receipt No: 15R 00             | Fee Paid<br>1417   |
| OCCD | CA             | 06-10-2015   | Certificate of Service   |

Comment: re PLV

OCCD CA 06-10-2015

Other Papers

Comment: Notice of Appearance re Attorneys Wistrom and Hanson for Respondent David Clarke, Jr.

OCCD CA 06-10-2015

Motion for Stay

Filed By: Oyvind Wistrom Submit Date: 6-10-2015 Decision: (G) Grant Decision Date: 6-11-2015

ORD that the motion to temporarily stay the circuit courts order is granted.

FRO that a written order reflecting the circuit courts oral ruling shall be entered within three days.

FRO that David A. Clarke, Jr., shall file a notice of appeal within five days.

FRO that disposition of the petition for leave to appeal is held in abeyance until further order of this

court.

Motion Response Filed By: Peter Earle Submit Date: 6-11-2015

OCCD CA 06-10-2015

Petition for Leave to Appeal

Filed By: Oyvind Wistrom Submit Date: 6-10-2015 Decision: (D) Deny Decision Date: 6-24-2015

ORD that the petition for leave to appeal is dismissed as moot.

Comment: HELD IN ABEYANCE PENDING FRO OF COURT PER 06/11/15 CTO