

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Lewis O. Floyd, Jr.

Appeal Number 2015AP001294 - CR

Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|---|----------------------|--|
| OCCD | SC | 08-10-2017 | | Remittitur |
| OCCD | SC | 07-07-2017 377 Wis. 2d 394 | | Cites |
| OCCD | SC | 07-07-2017 898 N.W.2d 560 | | Cites |
| OCCD | SC | 07-07-2017 | | Opinion/Decision Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Affirmed Pages: 27 Written by: Kelly, Daniel Abrahamson, Shirley S. Joined Dissenting Opinion Bradley, Ann Walsh Wrote Dissenting Opinion 17 pages. Order Text: The decision of the court of appeals is affirmed. |
| OCCD | SC | 07-05-2017 Comment: PDC No: 2017 WI 78 | | Public Domain Citation |
| OCCD | SC | 04-19-2017 Comment: 1st case, 9:45 a.m.; Atty. Michael Soukup for Def-App-Pet, Atty. Luke Berg for Pla-Res | | Oral Argument |
| OCCD | SC | 04-13-2017 Comment: BR3-IB 4/12/17 | | Certificate of Filing by Mail |
| OCCD | SC | 04-13-2017 Filed By: Michael Soukup | | Reply Brief-Supreme Court Reply Brief-Supreme Court |
| OCCD | SC | 04-12-2017 | | Briefs Received At State Law Library |

OCCD SC 04-12-2017

Brief of Amicus Curiae
[Brief of Amicus Curiae - SPD](#)

Filed By: L. Michael Tobin

OCCD SC 04-11-2017

Motion to File Amicus/Non-Party Brief

Filed By: L. Michael Tobin

Submit Date: 4-11-2017

Decision: (G) Grant

Decision Date: 4-12-2017

ORD that the motion is granted and the brief is accepted for filing.

OCCD SC 04-07-2017

Briefs Received At State Law Library

OCCD SC 03-29-2017

Response Brief-Supreme Court
[Response Brief-Supreme Court](#)

Filed By: Luke Berg

Comment: Appendix to Response Brief-Supreme Court

OCCD SC 03-09-2017

Briefs Received At State Law Library

OCCD SC 03-02-2017

Motion to Extend Time

Filed By: Luke Berg

Submit Date: 3-2-2017

Decision: (G) Grant

Decision Date: 3-3-2017

ORD that the motion is granted in part. This case is scheduled for oral argument on 4-19-2017. In order to ensure that all briefs are filed sufficiently in advance of oral argument to provide the court with adequate preparation time, the plaintiff-respondent's response brief is shall be served and filed on or before 3-29-2017.

See BR2 event due on 3-29-2017

OCCD SC 03-02-2017

Attorney Change

Comment: substitute Luke Berg for Kevin LeRoy

OCCD SC 02-27-2017

First Brief-Supreme Court
[First Brief-Supreme Court](#)

Filed By: Michael Soukup

Comment: Separate Appendix

OCCD SC 02-22-2017

Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 2-23-2017

Decision: (G) Grant

Decision Date: 2-23-2017

ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before 2-24-2017.

See BR1 event due on 2-24-2017

OCCD SC 02-20-2017

Assigned-Oral Argument

OCCD SC 02-03-2017

Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 2-3-2017

Decision: (G) Grant

Decision Date: 2-6-2017

ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before February 23, 2017.

See BR1 event due on 2-23-2017

OCCD SC 01-31-2017

Attorney Change

Comment: From AG: Deputy Solicitor General to appear for respondent, replacing AAG Tarver.

OCCD SC 01-30-2017

Response

Comment: 10 additional CA briefs for SC use received

OCCD SC 01-12-2017

Attorney Change

Comment: DA Hanson for former DA Chiapete

OCCD SC 01-11-2017

Letter/Correspondence

Comment: From AG; Plaintiff-Respondent brief filed.

OCCD SC 01-10-2017

Caption Amended

OCCD SC 01-10-2017

Court Changed to Supreme Court

OCCD SC 09-30-2016

Letter/Correspondence

Comment: from AAG Tarver advising State will not file formal response opposing PRE unless requested by the court

OCCD SC 09-28-2016

Fee Waived

Comment: SPD appointed

OCCD SC 09-28-2016

Petition for Review

Filed By: Michael Soukup

Submit Date: 10-3-2016

Decision: (G) Grant

Decision Date: 1-10-2017

ORD that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and

FRO that pursuant to Wis. Stat. (Rule) 809.62(6) and 809.63, within 30 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed;

and

FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

FRO that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

FRO that within 30 days after the date of this order, each party must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; and

FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

| | | |
|---------|---|--------------------------------------|
| OCCD CA | 09-12-2016 | Final Publication |
| OCCD CA | 09-07-2016 371 Wis. 2d 404 | Cites |
| OCCD CA | 09-07-2016 885 N.W.2d 156 | Cites |
| OCCD CA | 09-07-2016 | Opinion Ordered Published |
| OCCD CA | 08-31-2016 Comment: PDC No: 2016 WI App 64 | Public Domain Citation |
| OCCD CA | 07-26-2016 Filed By: Michael Soukup Submit Date: 7-27-2016 Decision: (D) Deny Decision Date: 8-29-2016 ORD that the motion for reconsideration is denied. | Motion for Reconsideration |
| OCCD CA | 07-06-2016 Judge Panel: Gundrum, Hagedorn, Reilly Opinion: Opinion Decision: Affirmed Pages: 16 Written by: Gundrum, Mark D. Reilly, Paul F. Wrote Concurring Opinion 2 pages. Order Text: Judgment and order affirmed. | Opinion/Decision |
| OCCD CA | 02-25-2016 | Submitted on Briefs |
| OCCD CA | 01-04-2016 | Briefs Received At State Law Library |
| OCCD CA | 12-17-2015 | Record and Briefs Sent to District 2 |
| OCCD CA | 12-15-2015 Comment: BRY | Certificate of Filing by Mail |

OCCD CA 12-14-2015

Reply Brief
[Reply Brief](#)

Filed By: Michael Soukup

OCCD CA 11-25-2015

Brief of Respondent(s)
[Brief of Respondent](#)

Filed By: Sandra Tarver

OCCD CA 10-26-2015

Motion to Extend Time

Filed By: Sandra Tarver

Submit Date: 10-27-2015

Decision: (G) Grant

Decision Date: 10-28-2015

ORD that the time for the respondent to file its respondent's brief is extended to 11/25/15. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 11-25-2015

OCCD CA 09-24-2015

Attorney Change

Comment: AAG Sandra L. Tarver for State per letter notice of appearance

OCCD CA 09-22-2015

Certificate of Filing by Mail

Comment: BAP

OCCD CA 09-21-2015

Brief & Appx of Appellant(s)
[Brief of Appellant](#)

Filed By: Michael Soukup

Comment: 10 additional copies of BAP w/Separate Appendix received for SC use. 1/30/17ab

OCCD CA 09-18-2015

Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 9-21-2015

Decision: (G) Grant

Decision Date: 9-21-2015

ORD motion granted, time extended to 9/21/15.

See BAP event due on 9-21-2015

OCCD CA 09-11-2015

Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 9-14-2015

Decision: (G) Grant

Decision Date: 9-14-2015

ORD motion granted, time extended to 9/18/15.

See BAP event due on 9-15-2015

OCCD CA 08-06-2015

Sealed Documents

Comment: PSI #13

| | | |
|--|------------|--|
| OCCD CA | 08-06-2015 | Record |
| Comment: 1-3 to 29-1 | | |
| OCCD CA | 07-10-2015 | Court Reporter's Statement-Trans. |
| Court Reporter Name: (Campbell, Sandra) | | |
| OCCD CA | 07-09-2015 | Statement on Transcript |
| Filed By: Michael Soukup | | |
| Status: Ordered | | |
| OCCD CA | 07-08-2015 | Transcript filed in Circuit Court |
| OCCD CA | 07-01-2015 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 07-01-2015 | Fee Waived |
| Comment: SPD | | |
| OCCD CA | 07-01-2015 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 07-01-2015 | X Transfer |
| OCCD CA | 06-29-2015 | Received SPD Appointment Order |
| OCCD CA | 06-26-2015 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 06-11-2015 | Order of Circuit Court |
| OCCD CA | 05-27-2015 | Mot. Extend Time to Decide Postconviction Motion |
| Filed By: Michael Soukup | | |
| Submit Date: 5-27-2015 | | |
| Decision: (G) Grant | | |
| Decision Date: 5-28-2015 | | |
| ORD that the time for deciding the defendant's postconviction motion is extended to July 24, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14). | | |
| OCCD CA | 04-13-2015 | Mot. Extend Time to file NAP/PCM |
| Filed By: Michael Soukup | | |
| Submit Date: 4-14-2015 | | |
| Decision: (G) Grant | | |
| Decision Date: 4-15-2015 | | |
| ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/20/15. See Wis. Stat. Rule 809.82(2)(a). | | |
| OCCD CA | 03-27-2015 | Mot. Extend Time to file NAP/PCM |
| Filed By: Michael Soukup | | |

Submit Date: 3-27-2015

Decision: (G) Grant

Decision Date: 3-30-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/13/15. See Wis. Stat. Rule 809.82(2)(a).

OCCD CA 02-25-2015

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 2-25-2015

Decision: (G) Grant

Decision Date: 3-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 3/30/15. See Wis. Stat. Rule 809.82(2)(a).

OCCD CA 12-29-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 12-30-2014

Decision: (G) Grant

Decision Date: 1-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to February 27, 2015. See Wis. Stat. Rule 809.82(2)(a).

OCCD CA 10-28-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 10-28-2014

Decision: (G) Grant

Decision Date: 10-29-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to 12/29/14. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

OCCD CA 08-29-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 8-29-2014

Decision: (G) Grant

Decision Date: 9-3-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to October 28, 2014. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

OCCD CA 03-19-2014

Judgment of Circuit Court
