

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Howard Carter

Appeal Number 2015AP001311

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-22-2018		Remittitur
OCCD	SC	04-19-2018		Cites
		911 N.W.2d 17		
OCCD	SC	04-19-2018		Cites
		381 Wis. 2d 74		
OCCD	SC	04-19-2018		Opinion/Decision
		Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Affirmed Pages: 36 Written by: Gableman, Michael J. Abrahamson, Shirley S. Wrote Dissenting Opinion 3 pages. Bradley, Ann Walsh Joined Dissenting Opinion Bradley, Rebecca Grassl Joined Concurring Opinion Kelly, Daniel Wrote Concurring Opinion 7 pages. Order Text: The decision of the court of appeals in State v. Hager is reversed and cause remanded to the circuit court with directions; the decision of the court of appeals in State v. Carter is affirmed. Comment: Opinion/Decision		
OCCD	SC	04-17-2018		Public Domain Citation
		Comment: PDC No: 2018 WI 40		
OCCD	SC	11-01-2017		Oral Argument
		Comment: at 1:30 p.m. (rescheduled from 9:45 at request of counsel); Atty Leonard D. Kachinsky for Res-App-Pet, Atty Donald v. Latorraca for Pet-Res		
OCCD	SC	10-06-2017		Briefs Received At State Law Library
OCCD	SC	09-26-2017		Letter/Correspondence
		Comment: From Clerk's Office to counsel confirming oral argument schedule change from 9:45 a.m. to 1:30 p.m., November 1, 2017		

OCCD SC	09-07-2017	Assigned-Oral Argument
OCCD SC	07-24-2017	Reply Brief-Supreme Court Reply Brief-Supreme Court
	Filed By: Leonard Kachinsky	
OCCD SC	07-12-2017	Response Brief-Supreme Court Response Brief-Supreme Court
	Filed By: Thomas Balistreri	
OCCD SC	06-12-2017	Response
	Comment: 10 addl copies of CA briefs for SC	
OCCD SC	06-07-2017	Motion to Extend Time
	Filed By: Thomas Balistreri	
	Submit Date: 6-7-2017	
	Decision: (G) Grant	
	Decision Date: 6-8-2017	
	ORD that the motion is granted. The response brief of petitioner-respondent, State of Wisconsin, shall be served and filed on or before 7-12-2017.	
	See BR2 event due on 7-12-2017	
OCCD SC	06-06-2017	First Brief-Supreme Court First Brief-Supreme Court
	Filed By: Leonard Kachinsky	
	Comment: Appendix to First Brief-Supreme Court	
OCCD SC	05-15-2017	Caption Amended
OCCD SC	05-15-2017	Court Changed to Supreme Court
OCCD CA	03-13-2017	Final Publication
OCCD CA	02-22-2017	Cites
	892 N.W.2d 754	
OCCD CA	02-22-2017	Cites
	373 Wis. 2d 722	
OCCD CA	02-22-2017	Opinion Ordered Published
OCCD CA	02-22-2017	Public Domain Citation
	Comment: PDC No: 2017 WI App 9	

OCCD SC 02-17-2017
Comment: SPD order on file

Fee Waived

OCCD SC 02-17-2017 Petition for Review
Filed By: Leonard Kachinsky
Submit Date: 3-7-2017
Decision: (G) Grant
Decision Date: 5-15-2017
ORD that the petition for review is granted. Briefs due 30/20/10.
Motion Response
Filed By: Thomas Balistreri
Submit Date: 3-7-2017

OCCD CA 01-24-2017 [Opinion/Decision](#)
Judge Panel: Stark, Hruz, Seidl
Opinion: Opinion
Decision: Affirmed Pages: 12
Written by: Hruz, Thomas M.
Order Text: Orders affirmed

OCCD CA 09-07-2016 Oral Argument
Comment: September 7, 2016, 10:00 a.m. at the Brown County Courthouse, Green Bay, WI.

OCCD CA 08-04-2016 Assigned-Oral Argument

OCCD CA 07-15-2016 Letter/Correspondence
Comment: From JA to parties re cancellation of Oral Argument. Will be rescheduled in late August or early September.

OCCD CA 06-02-2016 Attorney Change
Comment: Added AAG Latorraca as co-counsel for State per letter.

OCCD CA 06-01-2016 Assigned-Oral Argument

OCCD CA 04-06-2016 Hold Status

OCCD SC 02-02-2016 Certification Filed
Filed By: Supreme Court Supreme Court
Submit Date: 2-2-2016
Decision: (D) Deny
Decision Date: 4-6-2016
ORD that the certification is refused. Ziegler, J., dissents.
See DEC event filed on 2-2-2016

OCCD CA 02-02-2016 [Opinion/Decision](#)
Judge Panel: Stark, Hruz, Seidl
Opinion: Certification

Decision: Certification Filed Pages: 10

Order Text: And 15AP330: We submit these appeals are appropriate for review of the statutory change to 980.09(2) as amended by Wis Act 84. Is the revised statute constitutional? Should circuit courts refrain from weighing the evidence or is the burden of proof on the state at the pretrial stage? We seek guidance on the question of retroactive application of the revised statute to petitions filed before the effective date.

OCCD CA	01-05-2016	Submitted on Briefs
OCCD CA	12-15-2015	Briefs Received At State Law Library
OCCD CA	12-07-2015	Record and Briefs Sent to District 3
OCCD CA	11-09-2015	Brief of Respondent(s) Brief of Respondent Filed By: Thomas Balistreri
OCCD CA	09-21-2015	Attorney Change Comment: W/drew AAG Weber, added AAG Balistreri as counsel for State per letter.
OCCD CA	09-21-2015	Motion to Extend Time Filed By: Thomas Balistreri Submit Date: 9-21-2015 Decision: (G) Grant Decision Date: 9-24-2015 ORD that time for filing the respondent's brief is extended to 11/11/15. See BRS event due on 11-11-2015
OCCD CA	09-10-2015	Brief & Appx of Appellant(s) Brief of Appellant Filed By: Leonard Kachinsky Comment: Note that the appeal number has been corrected on all briefs. Please use this number on all future correspondence. Appx to Brief of Appellant(s)
OCCD CA	08-13-2015	Record Comment: 1-33 to 200-1
OCCD CA	07-02-2015	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	07-02-2015	Received SPD Appointment Order Comment: Filed by Leonard Kachinsky
OCCD CA	07-02-2015	Statement on Transcript Filed By: Leonard Kachinsky Status: Prev. Filed

WSCCA Case History

OCCD CA	07-02-2015	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	07-02-2015	X Transfer
OCCD CA	06-30-2015	Unknown Judgment/Order of Cir. Ct.
OCCD CA	06-30-2015	Notice of Appeal filed in Cir. Ct.
OCCD CA	06-08-2015	Mot. Extend Time to Decide Postconviction Motion
Filed By: Leonard Kachinsky Submit Date: 6-8-2015 Decision: (G) Grant Decision Date: 6-9-2015 ORD that the time for deciding the post-commitment motions is extended to 7/7/15. Comment: 3rd request		
OCCD CA	04-29-2015	Mot. Extend Time to Decide Postconviction Motion
Filed By: Leonard Kachinsky Submit Date: 4-29-2015 Decision: (G) Grant Decision Date: 4-30-2015 ORD that the time for deciding the post-commitment motion is extended to 6/1/15. Comment: 2nd request		
OCCD CA	02-05-2015	Mot. Extend Time to Decide Postconviction Motion
Filed By: Leonard Kachinsky Submit Date: 2-5-2015 Decision: (G) Grant Decision Date: 2-6-2015 ORD that the time for deciding the post-commitment motion is extended to 4/30/15.		
OCCD CA	08-07-2014	Unknown Judgment/Order of Cir. Ct.