

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Tydis Trinard Odom

Appeal Number 2015AP002525 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-03-2018		Remittitur
OCCD	SC	02-23-2018		Letter/Correspondence Comment: To Counsel from Clerk's Office: case removed from court's March 2018 oral argument calendar. cjp
OCCD	SC	02-22-2018		Opinion/Decision Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Miscellaneous Order Decision: Voluntary Dismissal Pages: 1 Order Text: IT IS ORDERED that the voluntary dismissal is granted, and the appeal is dismissed, without costs. Roggensack, C.J., did not participate, and Ann Walsh Bradley, J., withdrew from participation.
OCCD	SC	02-21-2018		Response Comment: From Assistant State Public Defender Carly M. Cusack advising that Odom should not be forced to withdraw his plea where he no longer seeks relief, given his case has not been assigned to a justice. There are three additional cases pending before this court to address issues raised.
OCCD	SC	02-20-2018		Response Comment: From Deputy Solicitor General Luke N. Berg advising that the State does not oppose dismissal of Odom's appeal, because Odom should not be forced to withdraw his plea. At the same time, the State wishes to advise the Court that there may be benefits to allowing the case to proceed to argument and decision.
OCCD	SC	02-19-2018		Briefs Received At State Law Library Comment: Not retained at law library
OCCD	SC	02-19-2018		Sua Sponte Filed By: Supreme Court Supreme Court Submit Date: 2-19-2018 Decision: (O) Other Decision Date: 2-22-2018 IT IS ORDERED that the voluntary dismissal is granted, and the appeal is dismissed,

without costs.

Roggensack, C.J., did not participate, and Ann Walsh Bradley, J., withdrew from participation.

Motion Response

Filed By: Supreme Court Supreme Court

Submit Date: 2-21-2018

Motion Response

Filed By: Unassigned District 2

Submit Date: 2-21-2018

Comment: Notice of Voluntary Dismissal filed 2/19/18; State's response received 2/20/18; Odom's Response received 2/21/18

OCCD	SC	02-19-2018	Notice of Voluntary Dismissal Filed
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OCCD	SC	02-05-2018	Certificate of Filing by Mail
		Comment: RB3 02/02/18	

OCCD	SC	02-05-2018	Reply Brief-Supreme Court Reply Brief-Supreme Court
		Filed By: Carly Cusack	

OCCD	SC	01-22-2018	Briefs Received At State Law Library
		Comment: Not retained at law library	

OCCD	SC	01-19-2018	Response Brief-Supreme Court Response Brief-Supreme Court
		Comment: Appx to Response Brief-Supreme Court	

OCCD	SC	01-12-2018	Assigned-Oral Argument
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OCCD	SC	01-10-2018	Attorney Change
		Comment: Deputy Solicitor General Luke N. Berg for State per notice of appearance.	

OCCD	SC	11-15-2017	Motion to Extend Time
		Filed By: Kevin LeRoy	
		Submit Date: 11-15-2017	
		Decision: (G) Grant	
		Decision Date: 11-16-2017	
		ORD that the motion is granted. The response brief of plaintiff-respondent, State of Wisconsin, shall be served and filed on or before January 19, 2018. The reply brief of defendant-appellant, Tydis Trinar Odom, if any, shall be served and filed on or before February 2, 2018.	
		Roggensack, C.J., did not participate.	
		See BR2 event due on 1-19-2018	

OCCD	SC	11-15-2017	Attorney Change
		Comment: Solicitor General Misha Tseytlin and Deputy Solicitor General Kevin M. LeRoy for State per notice of appearance.	

OCCD	SC	11-15-2017	Certificate of Filing by Mail
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OCCD SC 11-15-2017

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

Filed By: Carly Cusack

Comment: When using staples, please make sure there are no protruding or sharp staples. Appx to First Brief-Supreme Court

OCCD SC 10-12-2017

Response

Comment: 10/17 additional copies of CA briefs for SC use due

OCCD SC 09-26-2017

Motion to Extend Time

Filed By: Carly Cusack

Submit Date: 9-26-2017

Decision: (G) Grant

Decision Date: 9-27-2017

ORD that the motion is granted. The brief of defendant-appellant, Tydis Trinard Odom, shall be served and filed on or before November 13, 2017.

Roggensack, C.J., did not participate.

See BR1 event due on 11-13-2017

OCCD SC 09-15-2017

Attorney Change

Comment: Attorney Cusack for appellant per notice of appearance.

OCCD SC 09-12-2017

Court Changed to Supreme Court

OCCD CA 09-12-2017

Hold Status

OCCD SC 07-12-2017

Letter/Correspondence

Comment: From Attorney Todd asking the Supreme Court to accept all issues on appeal.

OCCD SC 06-28-2017

Certification Filed

Filed By: Unassigned District 2

Submit Date: 6-30-2017

Decision: (G) Grant

Decision Date: 9-12-2017

ORD the certification is granted and the appeal is accepted for consideration of all issues raised before the court of appeals. When this court grants direct review upon certification, it acquires jurisdiction of the case, Wis. Const. art. VII, 3(3), that is, the entire appeal, which includes all issues, not merely the issues certified or the issue for which the court accepts the certification. State v. Stoehr, 134 Wis. 2d 66, 70 396 N.W.2d 177 (1986); Wis. Stat. 808.05(2) and (Rule) 809.61. Further, the court has jurisdiction over issues not certified because the court may review an issue directly on its own motion. Wis. Stat. 808.05(3); and

FRO that within 30 days after the date of this order the appellant must file either a brief in this court or a statement that no brief will be filed; that within 20 days of filing, the respondent must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent, within 10 days of filing, the appellant 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; instead, any material upon which there is reliance should be restated in the brief

filed in this court; and

FRO that in the event any party elects not to file a brief in this court, the briefs previously submitted by that party to the court of appeals shall stand as that party's brief in the Supreme Court; and

FRO that within the time period established for the filing of briefs, each party must provide the clerk of this court with copies of the briefs previously filed on behalf of that party in the court of appeals. If a party elects to file a new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a party elects t

OCCD CA	06-28-2017	Opinion/Decision
Judge Panel: Gundrum, Hagedorn, Neubauer		
Opinion: Certification		
Decision: Certification Filed Pages: 28		
Order Text: In determining whether the imposition of multiple DNA surcharges constitutes potential punishment under WIS. STAT. 971.08(1)(a) so that a court must advise a defendant about the surcharges before a valid plea may be taken, is the intent-effects test, as applied in State v. Radaj, 2015 WI App 50, 363 Wis. 2d 633, 866 N.W.2d 758, and State v. Scruggs, 2017 WI 15, 373 Wis. 2d 312, 891 N.W.2d 786, to ex post facto claims, the same analysis that was applied in State v. Bollig, 2000 WI 6, 16, 232 Wis. 2d 561, 605 N.W.2d 199, to a plea withdrawal claim?		

OCCD CA	02-23-2017	Hold Status
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OCCD CA	02-06-2017	Court Order
IT IS ORDERED that this appeal is held in abeyance pending the Wisconsin Supreme Court's resolution of State v. Scruggs, 2014AP2981-CR.		

OCCD SC	11-09-2016	Certification Filed
Filed By: Unassigned District 2		
Submit Date: 11-16-2016		
Decision: (D) Deny		
Decision Date: 1-9-2017		
ORD the certification is refused.		
Roggensack, C.J., did not participate.		
Motion Response		
Filed By: Leon Todd		
Submit Date: 11-16-2016		
See DEC event filed on 11-9-2016		

OCCD CA	11-09-2016	Opinion/Decision
Judge Panel: Gundrum, Hagedorn, Neubauer		
Opinion: Certification		
Decision: Certification Filed Pages: 19		
Order Text: Does the imposition of multiple DNA surcharges constitute "potential punishment" under WIS. STAT. 971.08(1)(a) such that a court's failure to advise a defendant about them before taking his or her plea establishes a prima facie showing that the defendant's plea was unknowing, involuntary, and unintelligent?		

OCCD CA	08-31-2016	Submitted on Briefs
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OCCD CA	06-10-2016	Briefs Received At State Law Library
Comment: Not retained at law library		

OCCD CA	06-02-2016	Record and Briefs Sent to District 2
OCCD CA	05-31-2016	Transfer to District II
OCCD CA	05-23-2016 Comment: BRY	Certificate of Filing by Mail
OCCD CA	05-20-2016 Filed By: Leon Todd	Reply Brief Reply Brief
OCCD CA	05-11-2016 Filed By: Leon Todd Submit Date: 5-12-2016 Decision: (G) Grant Decision Date: 5-13-2016 ORD that the time for the appellant to file a reply brief is extended to May 20, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BRY event due on 5-20-2016	Motion to Extend Time
OCCD CA	04-26-2016 Filed By: Leon Todd Submit Date: 4-26-2016 Decision: (G) Grant Decision Date: 4-28-2016 IT IS ORDERED the time for the appellant to file a reply brief is extended to May 11, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). See BRY event due on 5-11-2016	Motion to Extend Time
OCCD CA	04-08-2016 Filed By: 10264 (O'Brien, Daniel)	Brief of Respondent(s) Brief of Respondent
OCCD CA	03-25-2016 Comment: Withdrew Gregory M. Weber, AAG, added Daniel J. O'Brien, AAG.	Attorney Change
OCCD CA	03-08-2016 Comment: BAP	Certificate of Filing by Mail
OCCD CA	03-07-2016 Filed By: Leon Todd Comment: Appx to Brief of Appellant(s)	Brief & Appx of Appellant(s) Brief of Appellant
OCCD CA	01-29-2016	Supplement to Record

OCCD CA	01-25-2016	Record
Comment: 1-7 to 55-3		
OCCD CA	12-10-2015	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	12-10-2015	Fee Waived
Comment: SPD		
OCCD CA	12-10-2015	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	12-10-2015	X Transfer
OCCD CA	12-09-2015	Received SPD Appointment Order
OCCD CA	12-09-2015	Statement on Transcript
Filed By: Leon Todd Status: Prev. Filed		
OCCD CA	12-07-2015	Notice of Appeal filed in Cir. Ct.
OCCD CA	11-17-2015	Order of Circuit Court
OCCD CA	10-12-2015	Mot. Extend Time to Decide Postconviction Motion
Filed By: Leon Todd Submit Date: 10-12-2015 Decision: (G) Grant Decision Date: 10-13-2015 IT IS ORDERED that the deadline for the circuit court to decide Odom's postconviction motion is extended through December 11, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).		
OCCD CA	07-13-2015	Mot. Extend Time to file NAP/PCM
Filed By: Leon Todd Submit Date: 7-14-2015 Decision: (G) Grant Decision Date: 7-15-2015 IT IS ORDERED that the deadline for Odom to file a supplemental postconviction motion or notice of appeal in this matter is extended to August 12, 2015.		
OCCD CA	05-27-2015	Judgment of Circuit Court
OCCD CA	05-20-2015	Order of Circuit Court
OCCD CA	07-16-2014	Judgment of Circuit Court

OCCD CA 06-11-2014

Judgment of Circuit Court
