Wisconsin Supreme Court and Court of Appeals Case Access

State v. Dawn M. Prado

Appeal Number 2016AP000308 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	07-27-2021		Remittitur
OCCD	SC	06-18-2021		Cites
	960 N.W.2d 869			
OCCD	SC	06-18-2021		Cites
	397 Wis. 2d 719			
OCCD	SC	06-18-2021		Opinion/Decision
	Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Affirmed Pages: 29 Written by: Bradley, Ann Walsh Roggensack, Patience Drake Wrote Concurring Opinion 9 pages. Ziegler, Annette K. Joined Concurring Opinion Order Text: IT IS ORDERED that the decision of the court of appeals is affirmed. Comment: 6/18/21 Opinion/Decision			
OCCD	SC	06-17-2021		Public Domain Citation
	Comment: PDC No: 2021 WI 64			
OCCD	SC	03-18-2021		Oral Argument
	Comment: 1st case, 9:45 a.m. (argument to be conducted via video/audio conferencing) Michael C. Sanders for Plaintiff-Appellant-Petitioner Anthony J. Jurek for Defendant-Respondent-Cross-Petitioner			
OCCD	SC	03-17-2021		Briefs Received At State Law Library
OCCD	SC	03-12-2021		Reply Brief-Supreme Court Reply Brief-Supreme Court
	Filed By: Anthony Jurek Comment: Dawn Prado			
OCCD	SC	03-09-2021		Motion to Waive Filing Requirements

Filed By: Douglas Hoffer
Submit Date: 3-9-2021
Decision: (G) Grant
Decision Date: 3-9-2021
IT IS ORDERED that the motion is granted. The amicus brief filed March 9, 2021, is accepted as filed.
Comment: Motion to exceed word limit on amicus brief 3-09-2021 Order

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OCCD SC 03-09-2021 Brief of Amicus Curiae
Brief of Amicus Curiae (City of Eau Claire)

Comment: City of Eau Claire

OCCD SC 03-05-2021 Motion to File Amicus/Non-Party Brief

Filed By: Douglas Hoffer
Submit Date: 3-5-2021
Decision: (G) Grant
Decision Date: 3-5-2021
IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before March 12, 2021.
Comment: Motion to file Amicus Brief 3/5/21 CTO

OCCD SC 03-03-2021 Reply Brief-Supreme Court
State - Third Supreme Court Brief

Filed By: Michael Sanders
Comment: State of Wisconsin

OCCD SC 02-26-2021 Briefs Received At State Law Library

OCCD SC 02-23-2021 Response Brief-Supreme Court
Response Brief-Supreme Court (Prado)

Filed By: Anthony Jurek
Comment: Dawn Prado Response Brief-Supreme Court (Prado)

OCCD SC 02-22-2021 Response Brief-Supreme Court
Response Brief-Supreme Court (State of Wisconsin)

Comment: State of Wisconsin; Ack. of Filing - Response Brief-Supreme Court

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OCCD SC 02-18-2021 Briefs Received At State Law Library

OCCD SC 02-08-2021 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 2-8-2021
Decision: (G) Grant
Decision Date: 2-9-2021
IT IS ORDERED that the motion is granted in part. The response briefs shall be served and filed on or before February 22, 2021. All briefing must be completed by March 3, 2021. Therefore, the reply briefs, if any, shall be served and filed on or before March 3, 2021. No further extensions will be permitted.
See BR2 event due on 2-22-2021
Comment: Motion to Extend Time (Predo) 2/9/2021 Court Order

OCCD SC 01-21-2021 Motion for Miscellaneous Relief

Filed By: Anthony Jurek
Submit Date: 1-21-2021
Decision: (G) Grant
Decision Date: 1-22-2021
IT IS ORDERED that the motion is granted. Defendant-respondent-cross petitioner's initial brief is accepted as filed.
Comment: Retroactive motion to extend time Motion for Miscellaneous Relief 1/22/21 CTO

OCCD SC 01-19-2021 First Brief-Supreme Court
First Brief-Supreme Court (Dawn Prado)

Comment: Dawn Prado; separate appendix Appendix to First Brief-Supreme Court

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OCCD SC 01-12-2021 First Brief-Supreme Court
First Brief-Supreme Court (State of Wisconsin)
Acknowledgement of Filing of Supreme Court Brief

Comment: State of Wisconsin; separate appendix

OCCD SC 01-05-2021 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 1-5-2021
Decision: (G) Grant
Decision Date: 1-8-2021
IT IS ORDERED that the motion is granted. Plaintiff-appellant-petitioner and defendant-respondent-cross-petitioner shall file their initial briefs on or before January 12, 2021.
See BR1 event due on 1-12-2021
Comment: Motion to Extend Time (Prado BR1) 1--8-21 CTO

OCCD SC 01-05-2021 Assigned-Oral Argument

OCCD SC 12-21-2020 Certificate of Filing by Mail

Comment: COS; Mailed via USPS 12/18/20 Certificate of Filing by Mail (BR1 MXT)

OCCD SC 12-18-2020 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 12-21-2020
Decision: (G) Grant
Decision Date: 12-23-2020
IT IS ORDERED that the motion is granted. Plaintiff-appellant-petitioner and defendant-respondent-cross-petitioner shall file their initial briefs on or before January 5, 2021.
See BR1 event due on 1-5-2021
Comment: Motion to Extend Time (State, BR1); 12-23-2020 Court Order

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OCCD SC 11-10-2020 Certificate of Filing by Mail

Comment: Motion for extension of time mailed 11/10/20 via USPS Certificate of Filing by Mail (Staet, MMS)

OCCD SC 11-10-2020 Motion for Miscellaneous Relief

Filed By: Michael Sanders

Submit Date: 11-11-2020
Decision: (G) Grant
Decision Date: 11-11-2020
IT IS ORDERED that the motion is granted. Plaintiff-appellant-petitioner and defendant-respondent-cross-petitioner shall file their initial briefs on or before December 21, 2020.
Comment: Order on Motion for Miscellaneous Relief

OCCD SC 10-21-2020 Court Changed to Supreme Court

OCCD SC 08-18-2020 Fee Waived

Comment: Petition for Cross Review; SPD appointed

OCCD SC 08-18-2020 Fee Waived

Comment: State Petition for Review

OCCD SC 08-17-2020 Petition for Cross Review
Petition for Cross-Review

Filed By: Anthony Jurek
Submit Date: 9-9-2020
Decision: (G) Grant
Decision Date: 10-21-2020
ORD PRE granted. Briefing 30/20/10.
Motion Response
Filed By: Michael Sanders
Submit Date: 9-9-2020

OCCD SC 08-17-2020 Petition for Review
State Petition for Review

Filed By: Michael Sanders
Submit Date: 9-9-2020
Decision: (G) Grant
Decision Date: 10-21-2020
ORD PRE granted. Briefing 30/20/10.
Comment: Appendix - Petition for Review Cover letter for Petition for Review Notice of Petition for Review 10/21/20 CTO

OCCD CA 08-11-2020 Final Publication

OCCD CA 07-29-2020 Cites

393 Wis. 2d 526

OCCD CA 07-29-2020 Cites

947 N.W.2d 182

OCCD CA 07-29-2020 Opinion Ordered Published

OCCD CA 07-29-2020 Public Domain Citation

Comment: PDC No: 2020 WI App 42

OCCD CA 07-15-2020 Motion for Reconsideration

Filed By: Anthony Jurek
Submit Date: 7-16-2020
Decision: (D) Deny
Decision Date: 7-17-2020
IT IS ORDERED that the motion for reconsideration is denied.
Comment: Motion for Reconsideration Order on Motion for Reconsideration

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OCCD CA 06-25-2020 Opinion/Decision

Judge Panel: Blanchard, Kloppenburg, Graham
Opinion: Opinion
Decision: Reversed Pages: 43
Written by: Graham, Rachel A.
Order Text: Order reversed.

OCCD CA 12-06-2019 Submitted on Briefs

OCCD CA 12-04-2019 Briefs Received At State Law Library

Comment: Supplemental briefs

OCCD CA 11-15-2019 Briefs Sent to District

Comment: 2 BOTs

OCCD CA 11-12-2019 Other Brief
Supplemental Brief of Respondent

Filed By: Anthony Jurek

OCCD CA 11-08-2019 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 11-8-2019
Decision: (G) Grant
Decision Date: 11-12-2019
ORD that the time for the respondent to file a supplemental brief is extended to November 15, 2019.
See BOT event due on 11-15-2019

OCCD CA 10-31-2019 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 10-31-2019
Decision: (G) Grant
Decision Date: 11-4-2019
ORD that the time for the respondent to file a supplemental brief is extended to November 8, 2019.
See BOT event due on 11-8-2019

OCCD CA 10-29-2019 Delinquent

Comment: New due date of connected BOT: 11-5-2019

OCCD CA 10-24-2019 Other Brief
Supplemental Brief of Appellant

Filed By: Michael Sanders

Comment: Appellant Supplemental Brief

OCCD CA 10-04-2019 Court Order

ORD that the parties shall simultaneously file supplemental briefs that address the issues identified above. The briefs shall be no longer than 3,000 word and shall be filed on or before twenty-one days from the date of this order.
See DAC event filed on 6-22-2020

OCCD CA 09-27-2019 Response

Comment: Respondent Response per 11/30/18 CTO

OCCD CA 09-17-2019 Response

Comment: Appellant response per 11/30/18 CTO

OCCD CA 09-04-2019 Letter/Correspondence

Comment: to parties; advising SC decision in 15AP1113-CR released

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OCCD CA 09-03-2019 Hold Status

OCCD CA 12-26-2018 Court Order

ORD that this appeal will remain on hold as provided in our order of November 30, 2018.

OCCD CA 12-14-2018 Response

Comment: Appellant's response to 11/30/18 CTO

OCCD CA 11-30-2018 Court Order

ORD that this appeal is placed on hold pending further order of this court.
FRO that, if either party believes this case should not be placed on hold pending supreme court action in Hawley, the party or parties should submit a letter with an explanation directed to the Clerk of the Court of Appeals within 14 days of the date of this order.
FRO that, assuming this case remains on hold pending Hawley, when the supreme court takes action disposing of the Hawley case, each party shall, within 14 days of the date of that disposition, submit a letter directed to the Clerk of the Court of Appeals stating how the party believes this case should proceed.

OCCD CA 07-05-2018 Briefs Received At State Law Library

OCCD CA 06-20-2018 Record and Briefs Sent to District 4

OCCD CA 06-18-2018 Reply Brief
Reply Brief

Filed By: Michael Sanders

Comment: Note that the brief cover color has been corrected on this brief. Please see Rule 809.19(9) regarding requirements.

OCCD CA 06-01-2018 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 6-4-2018
Decision: (G) Grant
Decision Date: 6-5-2018
ORD that the time to file the reply brief is extended to 6/18/18.
See BRY event due on 6-18-2018

OCCD CA 05-02-2018 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 5-2-2018
Decision: (G) Grant
Decision Date: 5-4-2018
ORD that the time to file the reply brief is hereby extended to 6/4/18.
See BRY event due on 6-4-2018

OCCD CA 04-16-2018 Motion for Miscellaneous Relief

Filed By: Anthony Jurek
Submit Date: 4-17-2018
Decision: (G) Grant
Decision Date: 4-18-2018
ORD that the respondent's brief shall be accepted as timely filed as of the date of this order.
Comment: MXT to submit [response] brief

OCCD CA 04-16-2018 Brief of Respondent(s)
Brief of Respondent

Filed By: Anthony Jurek

OCCD CA 03-14-2018 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 3-15-2018
Decision: (G) Grant
Decision Date: 3-16-2018
ORD that the time to file the respondent's brief is extended to April 13, 2018.
See BRS event due on 4-13-2018

OCCD CA 03-01-2018 Delinquent

Comment: New due date of connected BRS: 3-8-2018

OCCD CA 01-26-2018 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 1-26-2018
Decision: (G) Grant
Decision Date: 1-29-2018
ORD that the time to file the respondent's brief is extended to February 16, 2018.
See BRS event due on 2-16-2018

OCCD CA 12-29-2017 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 12-29-2017
Decision: (G) Grant
Decision Date: 1-4-2018
ORD that the time to file the respondent's brief is hereby extended to 1/19/18.
See BRS event due on 1-19-2018

OCCD CA 10-24-2017 Motion to Extend Time

Filed By: Anthony Jurek
Submit Date: 10-24-2017
Decision: (G) Grant
Decision Date: 11-1-2017
ORD that the time to file the respondent's brief is extended to December 22, 2017.
See BRS event due on 12-22-2017

OCCD CA 09-21-2017 Brief & Appx of Appellant(s)
Acknowledgement of Filing of Supreme Court Brief
Brief of Appellant

Filed By: Michael Sanders

OCCD CA 09-06-2017 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 9-6-2017
Decision: (G) Grant
Decision Date: 9-8-2017
ORD that the time to file the appellant's brief is extended to 9-21-2017.
See BAP event due on 9-21-2017

OCCD CA 08-04-2017 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 8-4-2017
Decision: (G) Grant
Decision Date: 8-8-2017
ORD that the time to file the State's appellant's brief and appendix is extended to September 6, 2017.
See BAP event due on 9-6-2017

OCCD CA 07-07-2017 Letter/Correspondence

Comment: to parties advising SC decisions released; BAP/NVD due within 30 days

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OCCD CA 07-07-2017 Hold Status

OCCD CA 05-25-2017 Motion for Stay

Filed By: Michael Sanders
Submit Date: 5-26-2017
Decision: (G) Grant
Decision Date: 6-13-2017
ORD that the appellant shall file its brief or a notice of voluntary dismissal within thirty days after release

of the later of the Wisconsin Supreme Court decisions in State v. Brar, No. 2015AP1261-CR and State v. Blackman, No. 2015AP450-CR.
Comment: Briefing

OCCD CA 05-05-2017 Motion to Extend Time

Filed By: Michael Sanders
Submit Date: 5-8-2017
Decision: (G) Grant
Decision Date: 5-11-2017
ORD that the time to file the appellant's brief is extended to June 5, 2017.
See BAP event due on 6-5-2017

OCCD CA 02-20-2017 Motion for Stay

Filed By: Michael Sanders
Submit Date: 3-17-2017
Decision: (D) Deny
Decision Date: 3-21-2017
ORD that the appellant's brief shall be due 5/5/17. Briefing shall proceed thereafter according to Wis. Stat. Rule 809.19.
Motion Response
Filed By: Michael Sanders
Submit Date: 3-20-2017
Comment: Briefing, pending resolution of State v. Howes, 14AP1870-CR

OCCD CA 02-09-2017 Sealed Documents

Comment: #47, #52, #53

OCCD CA 02-09-2017 Record

Comment: RE-FILE; 1-17 to 62-1

OCCD CA 02-09-2017 Hold Status

OCCD CA 11-15-2016 Sua Sponte

Filed By: Unassigned District 4
Submit Date: 11-15-2016
Decision: (O) Other
Decision Date: 2-1-2017
ORD that the clerk of the circuit court shall re-transmit the record to this court by 2/10/17, and the time for the State to file its initial brief and appendix shall be reset accordingly.
Comment: State's response to 9/26/16 CTO

OCCD CA 11-14-2016 Response

Comment: State's response to 9/26/16 CTO; advises the circuit court found Prado competent to proceed in a November 11, 2016 order, order attached.

OCCD CA 08-26-2016 Sua Sponte

Filed By: Unassigned District 4
Submit Date: 9-22-2016
Decision: (O) Other

Decision Date: 9-26-2016
ORD that this appeal shall be placed on hold until such time as the circuit court enters an order determining that Dawn Prado has regained competency to proceed. The circuit court will continue to have jurisdiction over the competency issue while the record remains there.
FRO that the State shall advise this court within 10 days after the circuit court has entered an order determining that Prado has regained competency to proceed, so that this court can set a time for the record to be returned here. If the circuit court has not entered such an order within 60 days, the State shall provide this court with a status update advising us whether or in what time frame it anticipates that Prado is likely to regain competency and whether the State still wishes to pursue this appeal.
Comment: State's response to 5/25/16 CTO

OCCD CA 08-26-2016 Response

Comment: State's response to 5/25/16 court order; respondent found not currently competent to stand trial; will not challenge, no transcript needed

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OCCD CA 05-26-2016 Record Remanded to Circuit Court

Comment: via UPS

OCCD CA 04-25-2016 Motion for Miscellaneous Relief

Filed By: Anthony Jurek
Submit Date: 4-25-2016
Decision: (O) Other
Decision Date: 5-25-2016
ORD that this matter shall be remanded to the circuit court forthwith so that the respondent may file, and the circuit court may hear and decide, a challenge to the defendant's competency to stand trial.
FRO that we retain jurisdiction of the appeal.
FRO that the respondent shall file the competency motion within ten days of the date of this order. The circuit court shall hear and decide the competency issue within 120 days after the motion has been filed.
FRO that within ten days after the circuit court's competency ruling, the parties shall advise this court whether either of them intends to challenge the circuit court's competency ruling, and if so, whether any transcripts from the remand will need to be produced.
Motion Response
Filed By: Michael Sanders
Submit Date: 5-9-2016
Comment: Motion for Ruling on Defendant's Competency

OCCD CA 04-06-2016 Record

Comment: 1-17 to 43-1

OCCD CA 03-17-2016 Received SPD Appointment Order

Comment: delete Atty. Welch; add Atty. Jurek for Dawn Prado

OCCD CA 03-14-2016 Court Reporter's Statement-Trans.

Court Reporter Name: (Sundstrom, Jeanette)

OCCD CA 03-08-2016 Transcript filed in Circuit Court

OCCD CA 03-02-2016 Statement on Transcript

Filed By: Michael Sanders

Status: Ordered

OCCD	CA	02-11-2016	Notif. Sent-Filing of NAP & Ct. Record
OCCD	CA	02-11-2016	Fee Waived
		Comment: State	
OCCD	CA	02-11-2016	Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	02-08-2016	Notice of Appeal filed in Cir. Ct.
OCCD	CA	01-04-2016	Order of Circuit Court