

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Darrick L. Bennett**

**Appeal Number 2016AP002209 - CR**

**Court of Appeals District 1**

## CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------|-------|-------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OCCD   | CA    | 12-18-2018  |                      | Remittitur                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| OCCD   | SC    | 11-01-2018  |                      | Motion for Miscellaneous Relief<br>Filed By: Darrick Bennett<br>Submit Date: 11-1-2018<br>Decision: (G) Grant<br>Decision Date: 11-2-2018<br>ORD that the motion is granted. Defendant-appellant-petitioner's statement in support shall be served and filed on or before December 5, 2018. No further time extensions will be granted. If the statement is not filed by that time, this matter will be summarily dismissed.<br>Comment: MXT/Statement in Support |
| OCCD   | CA    | 10-31-2018  |                      | Cites<br>921 N.W.2d 517                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| OCCD   | CA    | 10-31-2018  |                      | Cites<br>384 Wis. 2d 413                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| OCCD   | CA    | 10-31-2018  |                      | Opinion Ordered Unpublished                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| OCCD   | SC    | 10-17-2018  |                      | Letter/Correspondence<br>Comment: petitioner requests IND forms, 10/23/18 mailed                                                                                                                                                                                                                                                                                                                                                                                  |
| OCCD   | SC    | 10-01-2018  |                      | Petition for Review<br>Filed By: Darrick Bennett<br>Submit Date: 12-12-2018<br>Decision: (M) Dismiss<br>Decision Date: 12-14-2018<br>ORD the petition for review is summarily dismissed. No costs.<br>Comment: 10/5/18 CTO mailed in lieu of notice (AP-8020); statement in support due 12/5/18 - 12/12/18 stmnt. in support not rcvd.                                                                                                                            |
| OCCD   | SC    | 10-01-2018  |                      | Motion for Miscellaneous Relief                                                                                                                                                                                                                                                                                                                                                                                                                                   |

Filed By: Darrick Bennett

Submit Date: 10-3-2018

Decision: (O) Other

Decision Date: 10-5-2018

ORD that this petition shall be deemed to be a timely petition for review. However, a statement in support of the petition, conforming to the requirements of Wis. Stat. 809.62(2) and (4), must be filed with the clerk of this court by November 5, 2018. If the statement is not filed by that time, this matter will be summarily dismissed.

Comment: ext. time to file PRE/qualify for SPD appointment

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OCCD CA 09-18-2018

[Opinion/Decision](#)

Judge Panel: Brennan, Kessler, Dugan

Opinion: Opinion

Decision: Affirmed Pages: 25

Written by: Dugan, Timothy G.

Order Text: Judgment and order affirmed

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OCCD CA 05-01-2018

Court Order

IT IS ORDERED that this court will take no action on Respondent-Appellant Darrick L. Bennetts pro se letter to this court because he is represented by counsel. See State v. Redmond, 203 Wis. 2d 13, 21, 552 N.W.2d 115 (Ct. App. 1996).

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OCCD CA 04-27-2018

Letter/Correspondence

Comment: applnt. requests opportunity to be heard, expresses his point of view

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OCCD CA 04-03-2018

Submitted on Briefs

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OCCD CA 03-01-2018

Briefs Received At State Law Library

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OCCD CA 02-26-2018

Record and Briefs Sent to District 1

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OCCD CA 02-22-2018

Certificate of Filing by Mail

Comment: BRY-IB 02/19/18

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OCCD CA 02-22-2018

Reply Brief

[Reply Brief](#)

Filed By: Gary Grass

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OCCD CA 02-13-2018

Motion to Extend Time

Filed By: Gary Grass

Submit Date: 2-13-2018

Decision: (G) Grant

Decision Date: 2-15-2018

ORD that the time for the appellant to file the reply brief is extended to February 19, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

See BRY event due on 2-19-2018

Comment: 2

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------------------------------------------|
| OCCD CA                                                                                                                                                                                                                                                                                 | 01-29-2018 | Motion to Extend Time                                              |
| Filed By: Gary Grass<br>Submit Date: 1-30-2018<br>Decision: (G) Grant<br>Decision Date: 1-30-2018<br>ORD that the motion is granted and the time is extended to February 12, 2018.<br>See BRY event due on 2-12-2018                                                                    |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 01-12-2018 | Brief of Respondent(s)<br><a href="#">Brief of Respondent</a>      |
| Filed By: Tiffany Winter                                                                                                                                                                                                                                                                |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 12-04-2017 | Motion for Stay                                                    |
| Filed By: Tiffany Winter<br>Submit Date: 12-12-2017<br>Decision: (D) Deny<br>Decision Date: 1-2-2018<br>ORD that the motion to stay the briefing in this court is denied as unnecessary.<br>FRO that the deadline for filing the respondent's brief is extended until January 16, 2018. |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 11-06-2017 | Motion to Extend Time                                              |
| Filed By: Tiffany Winter<br>Submit Date: 11-7-2017<br>Decision: (G) Grant<br>Decision Date: 11-8-2017<br>IT IS ORDERED that the deadline for the State to file the respondent's brief in this matter is extended to December 11, 2017.<br>See BRS event due on 12-11-2017               |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 10-11-2017 | Attorney Change                                                    |
| Comment: AAG Winter appears for State per ltr. of representation                                                                                                                                                                                                                        |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 10-10-2017 | Certificate of Filing by Mail                                      |
| Comment: BAP-IB 10/6/17                                                                                                                                                                                                                                                                 |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 10-10-2017 | Caption Amended                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 10-10-2017 | Brief & Appx of Appellant(s)<br><a href="#">Brief of Appellant</a> |
| Filed By: Gary Grass                                                                                                                                                                                                                                                                    |            |                                                                    |
| Comment: Appx to Brief of Appellant(s)                                                                                                                                                                                                                                                  |            |                                                                    |
| OCCD CA                                                                                                                                                                                                                                                                                 | 09-25-2017 | Motion to Extend Time                                              |
| Filed By: Gary Grass<br>Submit Date: 9-25-2017<br>Decision: (G) Grant<br>Decision Date: 9-27-2017<br>ORD that the deadline for Bennett to file his appellant's brief and appendix is extended to October 6,                                                                             |            |                                                                    |

2017.  
See BAP event due on 10-6-2017  
Comment: 8

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OCCD CA 08-28-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 8-28-2017  
Decision: (G) Grant  
Decision Date: 8-29-2017  
ORD that the deadline for Bennett to file a brief and appendix is extended through September 25, 2017.  
See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 9-25-2017  
Comment: 7

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OCCD CA 07-20-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 7-20-2017  
Decision: (G) Grant  
Decision Date: 7-21-2017  
ORD that the time for the appellant to file an appellant's brief is extended until August 18, 2017. See  
Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 8-18-2017  
Comment: 6

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OCCD CA 06-28-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 6-28-2017  
Decision: (G) Grant  
Decision Date: 6-30-2017  
IT IS ORDERED that the deadline for the appellant to file a brief and appendix is extended through July  
19, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 7-19-2017

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OCCD CA 05-22-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 5-22-2017  
Decision: (G) Grant  
Decision Date: 5-23-2017  
ORD that the deadline for Bennett to file a brief and appendix is extended through June 19, 2017. See  
Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 6-19-2017

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OCCD CA 04-18-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 4-18-2017  
Decision: (G) Grant  
Decision Date: 4-19-2017  
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until May 17, 2017.  
See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 5-17-2017  
Comment: 3

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OCCD CA 03-16-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 3-16-2017  
Decision: (G) Grant  
Decision Date: 3-17-2017  
ORD that the time for the appellant to file an appellant's brief is extended until April 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 4-17-2017

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OCCD CA 02-14-2017 Motion to Extend Time  
Filed By: Gary Grass  
Submit Date: 2-15-2017  
Decision: (G) Grant  
Decision Date: 2-16-2017  
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until March 16, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 3-16-2017

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OCCD CA 01-05-2017 Sealed Documents  
Comment: #18

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OCCD CA 01-05-2017 Record  
Comment: 1-3 to 84-1 (ELECTRONICALLY FILED)

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OCCD CA 12-14-2016 Statement on Transcript  
Filed By: Gary Grass  
Status: Prev. Filed

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OCCD CA 12-09-2016 Delinquent  
Comment: New due date of connected SRT: 12-16-2016

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OCCD CA 11-29-2016 Motion for Miscellaneous Relief  
Filed By: Gary Grass  
Submit Date: 11-29-2016  
Decision: (G) Grant  
Decision Date: 12-2-2016  
IT IS ORDERED that the deadline for Bennett to pay the filing fee or submit a completed fee waiver application in this matter is extended to December 11, 2016.  
Comment: MXT/IND

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OCCD CA 11-14-2016 Indigency Forms Sent  
Filed By: Unassigned District 1  
Submit Date: 12-12-2016  
Decision: (G) Grant  
Decision Date: 12-12-2016  
Fee waived.  
Motion Response

|         |            |                                                                                                                                                                                                                                                                                                                            |
|---------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OCCD CA | 11-14-2016 | Notif. Sent-Filing of NAP & Ct. Record                                                                                                                                                                                                                                                                                     |
| OCCD CA | 11-14-2016 | Notice of Appeal & Circuit Court Docket Entries                                                                                                                                                                                                                                                                            |
| OCCD CA | 11-14-2016 | X Transfer                                                                                                                                                                                                                                                                                                                 |
| OCCD CA | 11-03-2016 | Notice of Appeal filed in Cir. Ct.                                                                                                                                                                                                                                                                                         |
| OCCD CA | 10-18-2016 | Mot. Extend Time to file NAP/PCM<br>Filed By: Gary Grass<br>Submit Date: 10-18-2016<br>Decision: (G) Grant<br>Decision Date: 10-19-2016<br>ORD that the deadline for Bennett to file a notice of appeal is extended through November 7, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).<br>Comment: 2d                   |
| OCCD CA | 09-27-2016 | Mot. Extend Time to file NAP/PCM<br>Filed By: Gary Grass<br>Submit Date: 9-27-2016<br>Decision: (G) Grant<br>Decision Date: 9-28-2016<br>IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal is extended through October 17, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). |
| OCCD CA | 09-06-2016 | Order of Circuit Court                                                                                                                                                                                                                                                                                                     |
| OCCD CA | 07-08-2016 | Mot. Extend Time to Decide Postconviction Motion<br>Filed By: Gary Grass<br>Submit Date: 7-8-2016<br>Decision: (G) Grant<br>Decision Date: 7-11-2016<br>IT IS ORDERED that the deadline for the circuit court to decide the postconviction motion is extended to September 12, 2016.                                       |
| OCCD CA | 04-21-2016 | Mot. Extend Time to file NAP/PCM<br>Filed By: Gary Grass<br>Submit Date: 4-21-2016<br>Decision: (G) Grant<br>Decision Date: 4-22-2016<br>IT IS ORDERED that the deadline for filing a postconviction motion is extended to April 29, 2016.<br>Comment: 14th                                                                |
| OCCD CA | 03-30-2016 | Mot. Extend Time to file NAP/PCM                                                                                                                                                                                                                                                                                           |

Filed By: Gary Grass  
Submit Date: 3-31-2016  
Decision: (G) Grant  
Decision Date: 4-1-2016

ORD that the deadline for Bennett to file a postconviction motion or notice of appeal in this matter is extended to April 20, 2016.  
Comment: 13th

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OCCD CA 03-15-2016

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass  
Submit Date: 3-16-2016  
Decision: (G) Grant  
Decision Date: 3-18-2016

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal in this matter is extended to March 29, 2016.  
Comment: 12th

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OCCD CA 03-01-2016

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass  
Submit Date: 3-2-2016  
Decision: (G) Grant  
Decision Date: 3-4-2016

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal in this matter is extended to March 15, 2016.  
Comment: 11th

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OCCD CA 01-28-2016

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass  
Submit Date: 1-28-2016  
Decision: (G) Grant  
Decision Date: 2-1-2016

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal in this matter is extended to February 29, 2016.  
Comment: 10th

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OCCD CA 01-04-2016

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass  
Submit Date: 1-5-2016  
Decision: (G) Grant  
Decision Date: 1-6-2016

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal in this matter is extended to January 28, 2016.  
Comment: 9th

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OCCD CA 12-10-2015

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Filed By: Unassigned District 1  
Submit Date: 12-10-2015  
Decision: (N) No Action  
Decision Date: 12-17-2015  
No Action. (Letter sent)

Comment: Letter from Bennett re: Atty and case

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OCCD CA 11-25-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 11-25-2015

Decision: (G) Grant

Decision Date: 11-30-2015

ORD that the deadline for Bennett to file a postconviction motion or a notice of appeal is extended through December 28, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 8th

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OCCD CA 10-27-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 10-27-2015

Decision: (G) Grant

Decision Date: 10-29-2015

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or a notice of appeal is extended through November 25, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 7th

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OCCD CA 09-25-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 9-25-2015

Decision: (G) Grant

Decision Date: 9-28-2015

IT IS ORDERED that the deadline for Bennett to file a postconviction motion or notice of appeal is extended through October 26, 2015. See WIS. STAT. RULE 809.82(2)(a) (2013-14). IT IS FURTHER ORDERED that the request to extend the deadline for a three-judge court motion is denied.

Comment: 6th

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OCCD CA 08-26-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 8-26-2015

Decision: (G) Grant

Decision Date: 8-28-2015

IT IS ORDERED the deadline for Bennett to file a postconviction motion or a notice of appeal is extended through 09/25/15. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 5th

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OCCD CA 07-27-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 7-28-2015

Decision: (G) Grant

Decision Date: 7-29-2015

IT IS ORDERED that the time for filing a notice of appeal or postconvicition motion is extended to August 26, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 4th

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OCCD CA 06-26-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 6-26-2015

Decision: (G) Grant

Decision Date: 6-30-2015

IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to June 27, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

Comment: 3rd

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OCCD CA 05-28-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 5-28-2015

Decision: (G) Grant

Decision Date: 6-1-2015

IT IS ORDERED that the deadline for Bennet to file a postconviction motion or notice of appeal in this matter is extended to June 26, 2015.

Comment: 2nd

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OCCD CA 04-27-2015

Mot. Extend Time to file NAP/PCM

Filed By: Gary Grass

Submit Date: 4-28-2015

Decision: (G) Grant

Decision Date: 4-29-2015

IT IS ORDERED that the deadline for Bennet to file a postconviction motion or notice of appeal in this matter is extended to May 27, 2015.

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OCCD CA 02-12-2013

Judgment of Circuit Court

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