# Wisconsin Supreme Court and Court of Appeals Case Access

## State v. Lance P. Howard

## Appeal Number 2017AP000677 - CR

**CONSOLIDATED -** List of Consolidated Cases
**Court of Appeals District 2**

## CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|---|---|---|---|---|
| OCCD | SC | 03-27-2019 | | Motion for Miscellaneous Relief |

Filed By: Lance Howard
Submit Date: 3-27-2019
Decision: (N) No Action
Decision Date: 4-9-2019
ORD that the petition for review is denied, without costs.
Comment: Request for order to have Attorney Cleghorn to give documents/file to appellant

---

OCCD SC 03-06-2019 Letter/Correspondence

Comment: Filed by AAG Kawski advising State will not file formal response to PRE unless ordered by the court.

---

OCCD SC 03-05-2019 Letter/Correspondence

Comment: Filed by AAG Kawski advising PRE received 3/5/19 making response due 3/14/19.

---

OCCD SC 02-28-2019 Letter/Correspondence

Comment: From appellant regarding service of PRE.

---

OCCD SC 02-28-2019 Sua Sponte

Filed By: Supreme Court Supreme Court
Submit Date: 2-28-2019
Decision: (N) No Action
Decision Date: 3-5-2019
No action.
Comment: Letter from appellant regarding service of PRE

---

OCCD CA 02-22-2019 Other Papers

Comment: Attorney Cleghorn's copy of 2/15/19 order returned, address incorrect. 2/22/19 - order forwarded to correct address.

---

OCCD CA 02-13-2019 Affidavit of No Service filed

Comment: Filed by AAG Kawski re PRE (appellant's original copy was returned, incorrect address).

---

OCCD SC 02-05-2019 Letter/Correspondence

Comment: Filed by appellant advising of change of address and requesting pro se PRE guide. Also requesting copy of PRE. 2/5/19 - response sent with PRE guide.

---

OCCD CA 02-05-2019 Attorney Change

Comment: Address updated for appellant per letter filed 2/5/19.

---

OCCD SC 01-24-2019 Affidavit of No Service filed

Comment: Filed by AAG Kawski re PRE.

---

OCCD SC 01-15-2019 Fee Waived

Comment: SPD appointed in court of appeals.

---

OCCD SC 01-15-2019 Petition for Review

Filed By: Lance Howard
Submit Date: 3-5-2019
Decision: (D) Deny
Decision Date: 4-9-2019
ORD that the petition for review is denied, without costs.
Comment: 1/24/19 - NOS filed by AG; 2/13/19 - additional NOS filed by AG

---

OCCD SC 01-10-2019 Letter/Correspondence

Comment: To parties enclosing copy of 1/2/19 and 1/9/19 filings from appellant.

---

OCCD SC 01-09-2019 Motion for Miscellaneous Relief

Filed By: Lance Howard
Submit Date: 1-9-2019
Decision: (N) No Action
Decision Date: 2-15-2019
ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record;
FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants;
FRO that any response to the petition for review must be filed within 30 days of service of the petition; and,
FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with a copy of the document included with his January 2, 2019 filing.
Comment: Motions to Subpoena Sheboygan County and Department of Corrections to produce requested documents.

---

OCCD CA 12-27-2018 Other Papers

Comment: Returned mail; Attorney Cleghorn's copy of 12/18/18 order. 12/27/18 - forwarded to corrected address.

---

OCCD SC 12-18-2018 Court Order

ORD that Mr. Howard shall, within 30 days of the date of this order, advise the court if he wishes Attorney Cleghorn to file the no-merit petition for review on his behalf, or if he wishes to proceed with his motion for withdrawal of counsel and file a petition for review, pro se.
FRO that thereafter, an order will issue setting forth the deadlines for filing a petition for review or a no-merit petition for review and the timing of any responses that may be filed.

See MMS event filed on 11-9-2018

---

OCCD CA 11-29-2018 Letter/Correspondence

Comment: From Kerri Cleghorn advising that the case file has been mailed to Mr. Howard per 11-16-18 CTO.

---

OCCD SC 11-29-2018 Response

Comment: Response from Attorney Cleghorn to 11/16/18 CTO advising she has served copies of file materials to appellant.

---

OCCD SC 11-16-2018 Court Order

ORD that to the extent she has not already done so, Attorney Cleghorn shall, within seven days of the date of this order, serve upon Mr. Howard copies of the file materials he has requested. See Wis. Stat. (Rule) 809.32(1)(d). Attorney Cleghorn shall advise the court, in writing, within 14 days of the date of this order, of her compliance with this directive;
FRO that the relief requested in the petition for writ of habeas corpus is granted in part, ex parte. The court will permit a petition for review to be filed in this matter;
FRO that Mr. Howard's request for withdrawal of counsel is held in abeyance until further order of the court;
FRO that the Office of the State Public Defender is asked to evaluate whether it would appoint successor counsel to represent Mr. Howard. Within 30 days of the date of this order, the Office of the State Public Defender is requested to advise the court if it would appoint successor counsel to represent Mr. Howard;
FRO that upon receipt of this information from the Office of the State Public Defender, this court will issue an order setting forth Mr. Howard's options with respect to counsel and asking if Mr. Howard wants to proceed with his motion for withdrawal of counsel;
FRO that thereafter, an order will issue setting forth the deadlines for filing a petition for review or a no-merit petition for review on behalf of defendant-appellant of the adverse court of appeals' decision issued on February 21, 2018, State v. Howard, Case Nos. 2017AP677-CR and 2017AP678-CR, and the timing of any responses that may be filed.
See MMS event filed on 11-9-2018

---

OCCD SC 11-09-2018 Motion for Miscellaneous Relief

Filed By: Lance Howard
Submit Date: 11-9-2018
Decision: (G) Grant
Decision Date: 2-15-2019
ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record;
FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants;
FRO that any response to the petition for review must be filed within 30 days of service of the petition; and,
FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with

a copy of the document included with his January 2, 2019 filing.
Motion Response
Filed By: Joseph Ehmann
Submit Date: 12-14-2018
Motion Response
Filed By: Lance Howard
Submit Date: 1-2-2019
Motion Response
Filed By: Lance Howard
Submit Date: 1-9-2019
Motion Response
Filed By: Lance Howard
Submit Date: 1-18-2019
Motion Response
Filed By: Kerri Cleghorn
Submit Date: 1-18-2019
This motion contains court order(s).
Comment: Motion to withdraw attorney; SPD response to 11/16/18 CTO filed 12/14/18; appellant's response to 12/18/18 CTO filed 1/2/19

---

OCCD SC 10-01-2018 Motion for Miscellaneous Relief

Filed By: Lance Howard
Submit Date: 10-1-2018
Decision: (N) No Action
Decision Date: 2-15-2019
ORD that the motion for withdrawal of counsel is granted. Attorney Kerri Cleghorn is hereby removed as counsel of record;
FRO that Mr. Howard's pro se petition for review pursuant to Wis. Stat. (Rule) 809.62, filed January 15, 2019, is accepted as filed. The petitioner remains solely responsible for serving his petition for review on the Attorney General, however, as the clerk of this court is neither required nor authorized to serve papers on behalf of litigants;
FRO that any response to the petition for review must be filed within 30 days of service of the petition; and,
FRO that no action will be taken on the other documents and requests filed by Mr. Howard. This court will take no action on his "motions for subpoena" and will not serve the Office of Lawyer Regulation with a copy of the document included with his January 2, 2019 filing.
Comment: MXT to file PRE; See 12/18/18 CTO regarding deadlines for filing PRE

---

OCCD CA 04-03-2018 Remittitur

---

OCCD CA 03-28-2018 Cites

913 N.W.2d 515

---

OCCD CA 03-28-2018 Cites

380 Wis. 2d 510

---

OCCD CA 03-28-2018 Opinion Ordered Unpublished

---

OCCD CA 02-21-2018 Opinion/Decision

Judge Panel: Gundrum
Opinion: Opinion

Decision: Affirmed Pages: 6
Order Text: Judgments and orders affirmed

---

OCCD CA 02-19-2018 Briefs Received At State Law Library

---

OCCD CA 02-06-2018 Submitted on Briefs

---

OCCD CA 02-05-2018 Record and Briefs Sent to District 2

---

OCCD CA 01-05-2018 Brief of Respondent(s)
Brief of Respondent

Filed By: Mary Wagner

Comment: Appx to Brief of Respondent(s)

---

OCCD CA 12-04-2017 Affidavit of No Service filed

Comment: from ADA Mary Wagner regarding 11/6/12 transcripts

---

OCCD CA 11-27-2017 Motion to Extend Time

Filed By: Mary Wagner
Submit Date: 11-27-2017
Decision: (G) Grant
Decision Date: 11-29-2017
ORD that the time for the respondent to file its respondent's brief is extended to 1/4/18. See Wis. Stat. Rule 809.82(2)(a).
See BRS event due on 1-4-2018

---

OCCD CA 11-24-2017 Certificate of Service

Comment: From Attorney Cleghorn, appellant's brief mailed to ADA Wagner on 11/20/17.

---

OCCD CA 11-08-2017 Sua Sponte

Filed By: Unassigned District 2
Submit Date: 11-8-2017
Decision: (O) Other
Decision Date: 11-9-2017
ORD that by November 20, 2017, Attorney Cleghorn shall serve a copy of the appellant's brief on Assistant District Attorney Mary T. Wagner and file notice of service with this court. The respondent's brief will be due thirty days after service of the appellant's brief.
Comment: Letter from ADA and NOS regarding BAP

---

OCCD CA 11-08-2017 Letter/Correspondence

Comment: From ADA Mary Wagner advising court that the BAP has not been served.

---

OCCD CA 10-16-2017 Affidavit of No Service filed

Comment: from ADA Mary T. Wagner regarding BAP

---

OCCD CA 10-16-2017 Attorney Change

Comment: ADA Mary T. Wagner for State

---

OCCD CA 10-12-2017 Delinquent

Comment: New due date of connected BRS: 10-19-2017

---

OCCD CA 08-29-2017 Delinquency Motion

Filed By: Unassigned District 2
Submit Date: 8-29-2017
Decision: (N) No Action
Decision Date: 8-30-2017
No action.
See BAP event filed on 8-29-2017

---

OCCD CA 08-29-2017 Brief & Appx of Appellant(s)
Brief of Appellant

Filed By: Kerri Cleghorn

---

OCCD CA 08-11-2017 Brief Correction Notice

Comment: This brief does not include an order in the appendix; see Rule 809.19(2). All case numbers on consolidated cases must appear on the cover.

---

OCCD CA 07-26-2017 Motion to Extend Time

Filed By: Kerri Cleghorn
Submit Date: 7-28-2017
Decision: (G) Grant
Decision Date: 7-31-2017
ORD that the time for the appellant to file an appellant's brief is extended to 8/25/17. See Wis. Stat. Rule 809.82(2)(a).
See BAP event due on 8-25-2017

---

OCCD CA 06-26-2017 Motion to Extend Time

Filed By: Kerri Cleghorn
Submit Date: 6-27-2017
Decision: (G) Grant
Decision Date: 6-29-2017
ORD that the time for the appellant to file his appellant's brief is extended to 7/26/17. See Wis. Stat. Rule 809.82(2)(a).
See BAP event due on 7-26-2017

---

OCCD CA 05-17-2017 Court Order

ORD that the deadline for the trial court to decide the postconviction motion is extended to January 18, 2017.

---

OCCD CA 05-16-2017 Record

Comment: 1-4 to 122-10

---

OCCD CA 04-20-2017 Consolidated Case

Comment: [2017AP000677, 2017AP000678]

| | | | |
|---|---|---|---|
| OCCD | CA | 04-17-2017 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD | CA | 04-17-2017 | Fee Waived |
| | | Comment: SPD Appointed | |
| OCCD | CA | 04-17-2017 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD | CA | 04-10-2017 | Notice of Appeal filed in Cir. Ct. |
| OCCD | CA | 03-07-2017 | Motion to Consolidate |
| | | Filed By: Kerri Cleghorn<br>Submit Date: 4-17-2017<br>Decision: (G) Grant<br>Decision Date: 4-20-2017<br>ORD that these appeals are consolidated for purposes of briefing and disposition. Wis. Stat. Rule 809.10(3).<br>FRO that the time for filing a postconviction motion is extended to November 7, 2016. See Wis. Stat. Rule 809.82(2)(a).<br>FRO that the time for filing a notice of appeal is extended to April 10, 2017. See Wis. Stat. Rule 809.82(2)(a).<br><br>Comment: [2017AP000677, 2017AP000678] | |
| OCCD | CA | 03-07-2017 | Received SPD Appointment Order |
| OCCD | CA | 03-07-2017 | Statement on Transcript |
| | | Filed By: Kerri Cleghorn<br>Status: Prev. Filed | |
| OCCD | CA | 01-18-2017 | Order of Circuit Court |
| OCCD | CA | 01-18-2017 | Order of Circuit Court |
| OCCD | CA | 05-10-2014 | Judgment of Circuit Court |