

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Brian A. Barwick

Appeal Number 2017AP000958 - CR

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	01-15-2019		Remittitur
OCCD	CA	10-31-2018		Cites
		921 N.W.2d 532		
OCCD	CA	10-31-2018		Cites
		384 Wis. 2d 414		
OCCD	CA	10-31-2018		Opinion Ordered Unpublished
OCCD	SC	10-11-2018		Letter/Correspondence
		Comment: State advises it opposes the petition for review, will not file formal response unless ordered by court		
OCCD	SC	10-05-2018		Fee Waived
		Comment: SPD		
OCCD	SC	10-05-2018		Petition for Review
		Filed By: James Walrath Submit Date: 10-12-2018 Decision: (D) Deny Decision Date: 1-15-2019 ORD that the petition for review is denied, without costs. REBECCA FRANK DALLET, J., did not participate.		
OCCD	CA	09-05-2018		Opinion/Decision
		Judge Panel: Brash, Brennan, Kessler Opinion: Opinion Decision: Affirmed Pages: 21 Written by: Kessler, Joan F. Order Text: Judgments and order affirmed		

OCCD CA	05-01-2018	Submitted on Briefs
OCCD CA	04-20-2018	Briefs Received At State Law Library
OCCD CA	03-27-2018	Record and Briefs Sent to District 1
OCCD CA	03-26-2018 Comment: BRY	Certificate of Filing by Mail
OCCD CA	03-26-2018 Filed By: James Walrath	Reply Brief Reply Brief
OCCD CA	03-07-2018 Filed By: James Walrath Submit Date: 3-8-2018 Decision: (G) Grant Decision Date: 3-9-2018 ORD that the deadline for Barwick to file a reply brief is extended through March 26, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-26-2018 Comment: 2	Motion to Extend Time
OCCD CA	02-28-2018 Comment: filed by the State.	Additional Authorities
OCCD CA	02-09-2018 Filed By: James Walrath Submit Date: 2-12-2018 Decision: (G) Grant Decision Date: 2-13-2018 ORD that the time for the appellant to file the reply brief is extended to March 15, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-15-2018	Motion to Extend Time
OCCD CA	02-07-2018 Filed By: Jeffrey Kassel	Brief of Respondent(s) Brief of Respondent
OCCD CA	01-03-2018 Filed By: Jeffrey Kassel Submit Date: 1-3-2018 Decision: (G) Grant Decision Date: 1-5-2018 IT IS ORDERED that the deadline for the State to file the respondent's brief in these matters is extended to February 7, 2018. See BRS event due on 2-7-2018	Motion to Extend Time

OCCD CA 11-17-2017

Motion to Extend Time

Filed By: Jeffrey Kassel

Submit Date: 11-20-2017

Decision: (G) Grant

Decision Date: 11-21-2017

ORD that the deadline for the State to file the respondent's brief in these matters is extended to January 8, 2018.

See BRS event due on 1-8-2018

OCCD CA 11-16-2017

Court Order

A paper copy of the appellants brief and appendix has been filed by the appellants attorney. Attorney Walrath provided numerous redacted replacement pages for insertion into the brief and appendix by court staff. This document has not been properly filed in electronic form as required by WIS. STAT. RULE 809.19(12) or 809.32(1)(fm). Counsel shall file a corrected copy of the document in electronic form within 5 days of the date of this order. Failure to file the corrected document in electronic form may result in the imposition of a penalty under WIS. STAT. RULE 809.83(2). See also WIS. STAT. RULE 809.80(5)(b).

OCCD CA 11-08-2017

Response

Comment: per 10/30/17 cto - new BAP's or redacted pages supplies; rcvd. numerous pages to be inserted in applnt. brief and appendix. Pages 11, 15, 16, 18, 19, 22, 23, 33, 22, 41 and 42 in brief; pages 101, 102, 103, 105, 107, 108, 109, 114, 128 and 138; Insertion completed 11/13/17 - BRS due date adjusted

OCCD CA 10-17-2017

Motion for Miscellaneous Relief

Filed By: James Walrath

Submit Date: 10-17-2017

Decision: (D) Deny

Decision Date: 10-30-2017

ORD that the motion for an order excusing failure to comply with Wis. Stat. Rule 809.86 is denied. FRO that Attorney James A Walrath shall, no later than 10 days from the date of this order, submit copies of an appellant's brief and appendix that have been properly redacted or, in the alternative, he may submit copies of redacted pages to be inserted by the clerk of this court into the briefs and appendices Walrath already submitted.

Comment: Motion to excuse non-compliance with Wis. Stat. Rule 809.86

OCCD CA 10-16-2017

Attorney Change

Comment: Added AAG Jeffrey J. Kassel as counsel for the State per filing of notice of appearance.

OCCD CA 10-09-2017

Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: James Walrath

Comment: Separate Appendix Appx to Brief of Appellant(s)

OCCD CA 10-04-2017

Motion to Extend Time

Filed By: James Walrath

Submit Date: 10-4-2017

Decision: (G) Grant

Decision Date: 10-6-2017

IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until October 10, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 10-10-2017
Comment: 4

OCCD CA 09-19-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 9-20-2017
Decision: (G) Grant
Decision Date: 9-21-2017
ORD that the deadline for Barwick to file his appellant's brief and appendix is extended to October 5, 2017.
See BAP event due on 10-5-2017
Comment: 3

OCCD CA 09-08-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 9-11-2017
Decision: (G) Grant
Decision Date: 9-12-2017
ORD that the deadline for Bariwck to file his appellant's brief and appendix in these matters is extended to September 25, 2017.
See BAP event due on 9-25-2017

OCCD CA 07-12-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 7-13-2017
Decision: (G) Grant
Decision Date: 7-17-2017
ORD that the time for the appellant to file an appellant's brief is extended until September 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 9-15-2017

OCCD CA 07-07-2017 Record
Comment: ELECTRONICALLY FILED; 1-1 to 56-74

OCCD CA 06-02-2017 Consolidated Case
Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

OCCD CA 06-02-2017 Court Order for 3-Judge Panel

OCCD CA 06-02-2017 Statement on Transcript
Filed By: James Walrath
Status: Prev. Filed

OCCD CA 06-01-2017 Motion to Consolidate
Filed By: James Walrath
Submit Date: 6-1-2017
Decision: (G) Grant

Decision Date: 6-2-2017

ORD that appeal Nos. 2017AP958-CR, 2017AP959-CR, 2017AP960-CR and 2017AP961-CR are consolidated for briefing and disposition purposes.

FRO that the consolidated appeals shall be decided by a three-judge panel.

Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

OCCD	CA	05-25-2017	Notif. Sent-Filing of NAP & Ct. Record
OCCD	CA	05-25-2017 Comment: SPD appointed	Fee Waived
OCCD	CA	05-25-2017 Comment: in transmittal	Received SPD Appointment Order
OCCD	CA	05-25-2017	Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	05-25-2017	X Transfer
OCCD	CA	05-22-2017	Notice of Appeal filed in Cir. Ct.
OCCD	CA	05-08-2017	Order of Circuit Court
OCCD	CA	03-29-2017 Filed By: James Walrath Submit Date: 3-30-2017 Decision: (G) Grant Decision Date: 3-31-2017 ORD that the time for filing a notice of appeal or postconviction motion is extended to May 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). Comment: 4	Mot. Extend Time to file NAP/PCM
OCCD	CA	03-16-2017 Filed By: James Walrath Submit Date: 3-16-2017 Decision: (G) Grant Decision Date: 3-17-2017 IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to April 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). Comment: 3	Mot. Extend Time to file NAP/PCM
OCCD	CA	01-24-2017 Filed By: James Walrath Submit Date: 1-24-2017 Decision: (G) Grant Decision Date: 1-26-2017 IT IS ORDERED that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to March 20, 2017. Comment: 2d	Mot. Extend Time to file NAP/PCM

OCCD CA	11-21-2016	Mot. Extend Time to file NAP/PCM
Filed By: James Walrath Submit Date: 11-22-2016 Decision: (G) Grant Decision Date: 11-23-2016 ORD that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to February 3, 2017.		

OCCD CA	06-28-2016	Judgment of Circuit Court
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