

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Brian D. Frazier

Appeal Number 2017AP001249 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-04-2019		Remittitur
Comment: NRI by UPS				
OCCD	SC	02-27-2019		Opinion/Decision
Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Bradley, Kelly, Dallet				
Opinion: Miscellaneous Order				
Decision: Remanded to Trial Court Pages: 1				
Roggensack, Patience Drake Wrote Dissenting Opinion 2 pages.				
Abrahamson, Shirley S. Joined Dissenting Opinion				
Order Text: IT IS ORDERED that the petition for review is granted; and				
IT IS FURTHER ORDERED that the court of appeals' decision is summarily vacated and the case is				
remanded to the circuit court with instructions to conduct an evidentiary hearing pursuant to State v.				
Machner, 92 Wis. 2d 797, 285 N.W.2d 905 (Ct. App. 1979).				
OCCD	SC	02-27-2019		Court Changed to Supreme Court
OCCD	CA	09-26-2018		Cites
921 N.W.2d 16				
OCCD	CA	09-26-2018		Cites
384 Wis. 2d 271				
OCCD	CA	09-26-2018		Opinion Ordered Unpublished
OCCD	SC	09-24-2018		Fee Waived
Comment: State				
OCCD	SC	09-21-2018		Petition for Review
Filed By: Lisa Kumfer				
Submit Date: 10-9-2018				
Decision: (G) Grant				
Decision Date: 2-27-2019				
ORD that the petition for review is granted; and				

FRO that the court of appeals' decision is summarily vacated and the case is remanded to the circuit court with instructions to conduct an evidentiary hearing pursuant to State v. Machner.
Patience Drake Roggensack, C.J., dissenting.
Shirley S. Abrahamson, J., joins dissent.
Motion Response
Filed By: Michael Covey
Submit Date: 10-9-2018
Comment: & Request for Summary Disposition

OCCD CA 08-16-2018 Motion for Reconsideration
Filed By: Lisa Kumfer
Submit Date: 8-17-2018
Decision: (D) Deny
Decision Date: 8-22-2018
ORD that the motion for reconsideration is denied.

OCCD CA 08-02-2018 [Opinion/Decision](#)
Judge Panel: Kloppenburg, Lundsten, Blanchard
Opinion: Opinion
Decision: Reversed and remanded Pages: 16
Written by: Kloppenburg, JoAnne F.
Order Text: Judgment and order reversed and cause remanded.

OCCD CA 06-08-2018 Submitted on Briefs

OCCD CA 05-04-2018 Briefs Received At State Law Library

OCCD CA 04-16-2018 Record and Briefs Sent to District 4

OCCD CA 04-13-2018 [Reply Brief](#)
[Reply Brief](#)
Filed By: Michael Covey

OCCD CA 03-21-2018 Motion to Extend Time
Filed By: Michael Covey
Submit Date: 3-21-2018
Decision: (G) Grant
Decision Date: 3-26-2018
ORD that the time to file the reply brief is extended to April 13, 2018.
See BRY event due on 4-13-2018

OCCD CA 03-16-2018 Additional Authorities
Comment: Filed by Attorney Kumfer on behalf of State of Wisconsin. 3/19/18 - additional copies received

OCCD CA 02-22-2018 Motion to Extend Time
Filed By: Michael Covey
Submit Date: 2-23-2018
Decision: (G) Grant

Decision Date: 2-28-2018

ORD that the time to file the reply brief is extended to March 21, 2018.

See BRY event due on 3-21-2018

OCCD CA 02-06-2018

Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: Lisa Kumfer

OCCD CA 01-29-2018

Non-Electronic Record Item

Comment: Exhibit #1: Custodial Interview DVD

OCCD CA 01-26-2018

Supplement to Record

Comment: 106-2 to 108-1 (ELECTRONICALLY FILED)

OCCD CA 01-23-2018

Letter/Correspondence

Comment: from Attorney Michael Covey; advising he contacted the circuit court and learned they no longer have the DVD, provided another copy

OCCD CA 12-29-2017

Motion to Correct/Supplement Record

Filed By: Lisa Kumfer

Submit Date: 12-29-2017

Decision: (G) Grant

Decision Date: 1-4-2018

ORD that the motion to supplement the record is granted. Within 10 days of the date of this order, Frazier's counsel shall consult with the clerk of the circuit court to confirm that the clerk of the circuit court is in possession of the correct audio recording of the interview discussed above.

FRO that the clerk of the circuit court shall then immediately transmit the recording to this court by supplemental return. The clerk may transmit a copy of the recording rather than the original.

Comment: and MXT to file BRS

OCCD CA 12-04-2017

Motion to Extend Time

Filed By: Lisa Kumfer

Submit Date: 12-4-2017

Decision: (G) Grant

Decision Date: 12-7-2017

ORD that the time to file the respondent's brief is extended to 1/10/18.

See BRS event due on 1-10-2018

OCCD CA 11-16-2017

Attorney Change

Comment: AAG Kumfer for State per letter of appearance.

OCCD CA 11-08-2017

Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: Michael Covey

Comment: Appx to Brief of Appellant(s)

OCCD CA 10-26-2017

Motion to Extend Time

Filed By: Michael Covey

Submit Date: 10-27-2017

Decision: (G) Grant

Decision Date: 11-8-2017

ORD that the time to file the appellant's brief and appendix is extended to 3 business days from the date of this order.

See BAP event due on 10-27-2017

OCCD	CA	09-15-2017	Motion to Extend Time
------	----	------------	-----------------------

Filed By: Michael Covey
Submit Date: 9-15-2017
Decision: (G) Grant
Decision Date: 9-19-2017
ORD that the time to file the appellant's brief is hereby extended to 10/27/17.
See BAP event due on 10-27-2017

OCCD	CA	08-14-2017	Non-Electronic Record Item
------	----	------------	----------------------------

Comment: Item 92-CD/DVD from Columbus police Dept.-R.M.S. Record

OCCD	CA	08-09-2017	Sealed Documents
------	----	------------	------------------

Comment: #15, #17, #28

OCCD	CA	08-09-2017	Record
------	----	------------	--------

Comment: 1-2 to 105-11 (ELECTRONICALLY FILED)

OCCD	CA	07-05-2017	Statement on Transcript
------	----	------------	-------------------------

Filed By: Michael Covey
Status: Prev. Filed

OCCD	CA	06-29-2017	Notif. Sent-Filing of NAP & Ct. Record
------	----	------------	--

OCCD	CA	06-29-2017	Fee Waived
------	----	------------	------------

Comment: SPD appointed.

OCCD	CA	06-29-2017	Notice of Appeal & Circuit Court Docket Entries
------	----	------------	---

OCCD	CA	06-29-2017	X Transfer
------	----	------------	------------

OCCD	CA	06-21-2017	Received SPD Appointment Order
------	----	------------	--------------------------------

OCCD	CA	06-21-2017	Notice of Appeal filed in Cir. Ct.
------	----	------------	------------------------------------

OCCD	CA	06-02-2017	Order of Circuit Court
------	----	------------	------------------------

OCCD	CA	04-21-2017	Mot. Extend Time to Decide Postconviction Motion
------	----	------------	--

Filed By: Michael Covey

Submit Date: 4-21-2017

Decision: (G) Grant

Decision Date: 4-25-2017

ORD that the time for the circuit court to decide the pending postconviction motion is extended to September 1, 2017.

OCCD CA 02-10-2017

Mot. Extend Time to file NAP/PCM

Filed By: Michael Covey

Submit Date: 2-10-2017

Decision: (G) Grant

Decision Date: 2-14-2017

IT IS ORDERED that the time to file a postconviction motion or notice of appeal is extended to February 20, 2017.

OCCD CA 11-16-2016

Mot. Extend Time to file NAP/PCM

Filed By: Michael Covey

Submit Date: 11-16-2016

Decision: (G) Grant

Decision Date: 11-22-2016

ORD that the extension motion is granted. The time to file a notice of appeal or postconviction motion is hereby extended to 2/10/17.

OCCD CA 02-26-2014

Judgment of Circuit Court
