

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Akim A. Brown**

**Appeal Number 2017AP001332 - CR**

**Court of Appeals District 1**

## CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity   |
|--------|-------|-------------|----------------------|--|
| OCCD   | CA    | 04-09-2019  |                      | Remittitur<br>Comment: NRI via UPS   |
| OCCD   | CA    | 01-07-2019  |                      | Letter/Correspondence<br>Comment: Letter response to PRE filed by the State  |
| OCCD   | SC    | 12-21-2018  |                      | Fee Paid<br>Comment: Receipt No: 18R 003169  |
| OCCD   | SC    | 12-21-2018  |                      | Petition for Review<br>Filed By: Melinda Swartz<br>Submit Date: 1-8-2019<br>Decision: (D) Deny<br>Decision Date: 4-9-2019<br>ORD that the petition for review is denied, without costs.    |
| OCCD   | CA    | 12-19-2018  |                      | Cites<br>923 N.W.2d 166  |
| OCCD   | CA    | 12-19-2018  |                      | Cites<br>385 Wis. 2d 211   |
| OCCD   | CA    | 12-19-2018  |                      | Opinion Ordered Unpublished  |
| OCCD   | CA    | 11-20-2018  |                      | Motion for Reconsideration<br>Filed By: Melinda Swartz<br>Submit Date: 11-20-2018<br>Decision: (D) Deny<br>Decision Date: 11-21-2018<br>ORD that the motion for reconsideration is denied. |
| OCCD   | CA    | 11-06-2018  |                      | <a href="#">Opinion/Decision</a>   |

Judge Panel: Kessler, Dugan, Brash  
Opinion: Opinion  
Decision: Affirmed Pages: 10  
Written by: Brash, William W.  
Order Text: Judgment and order affirmed.

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OCCD CA 10-18-2018 Supplement to Record  
Comment: 156-1 to 158-1, ELECTRONICALLY FILED

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OCCD CA 10-15-2018 Court Order  
ORD that w/in seven days of the date of this order, the clerk of the circuit court shall transmit, by supplemental return, a complete copy of Record Item 125.  
See DAC event filed on 10-26-2018

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OCCD CA 10-02-2018 Submitted on Briefs

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OCCD CA 07-24-2018 Briefs Received At State Law Library

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OCCD CA 07-03-2018 Record and Briefs Sent to District 1

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OCCD CA 07-02-2018 Certificate of Filing by Mail  
Comment: RE: Appellant Reply. COM mailed 6/29/18 (IB)

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OCCD CA 07-02-2018 Certificate of Service  
Comment: RE: Appellant Reply. COS mailed 6/29/18

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OCCD CA 07-02-2018 Reply Brief  
[Reply Brief](#)  
Filed By: Melinda Swartz

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OCCD CA 06-19-2018 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 6-20-2018  
Decision: (G) Grant  
Decision Date: 6-21-2018  
ORD that the deadline for Brown to file his reply brief in this matter is extended to June 29, 2018.  
See BRY event due on 6-29-2018  
Comment: 5

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OCCD CA 06-05-2018 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 6-6-2018  
Decision: (G) Grant  
Decision Date: 6-7-2018  
ORD that the deadline for Brown to file the reply brief in this matter is extended to June 19, 2018.  
See BRY event due on 6-19-2018

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| OCCD CA  | 05-30-2018 | Motion to Extend Time   |
| Filed By: Melinda Swartz<br>Submit Date: 5-30-2018<br>Decision: (G) Grant<br>Decision Date: 6-1-2018<br>ORD that the deadline for Brown to file a reply brief is extended through June 5, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRY event due on 6-5-2018<br>Comment: 3             |            |   |
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| OCCD CA  | 05-23-2018 | Motion to Extend Time   |
| Filed By: Melinda Swartz<br>Submit Date: 5-23-2018<br>Decision: (G) Grant<br>Decision Date: 5-25-2018<br>ORD that the deadline for Brown to file a reply brief is extended through May 30, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRY event due on 5-30-2018<br>Comment: 2nd request |            |   |
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| OCCD CA  | 05-14-2018 | Motion to Extend Time   |
| Filed By: Melinda Swartz<br>Submit Date: 5-15-2018<br>Decision: (G) Grant<br>Decision Date: 5-16-2018<br>ORD that the deadline for Brown to file a reply brief is extended through May 23, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRY event due on 5-23-2018                         |            |   |
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| OCCD CA  | 04-27-2018 | Brief of Respondent(s)<br><a href="#">Brief of Respondent</a> |
| Filed By: 10264 (O'Brien, Daniel)  |            |   |
| <hr/>  |            |   |
| OCCD CA  | 04-06-2018 | Motion to Extend Time   |
| Filed By: 10264 (O'Brien, Daniel)<br>Submit Date: 4-9-2018<br>Decision: (G) Grant<br>Decision Date: 4-10-2018<br>ORD that the deadline for the State of Wisconsin to file its brief is extended through April 27, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRS event due on 4-27-2018  |            |   |
| <hr/>  |            |   |
| OCCD CA  | 03-14-2018 | Motion to Extend Time   |
| Filed By: 10264 (O'Brien, Daniel)<br>Submit Date: 3-15-2018<br>Decision: (G) Grant<br>Decision Date: 3-16-2018<br>ORD that the deadline for the State to file its brief is extended through April 13, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BRS event due on 4-13-2018              |            |   |
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| OCCD CA   | 02-20-2018 | Attorney Change  |
| Comment: AAG O'Brien appears for State per ltr. of representation   |            |  |
| OCCD CA   | 02-13-2018 | Certificate of Filing by Mail                                      |
| Comment: BAP 02/09/18   |            |  |
| OCCD CA   | 02-12-2018 | Brief & Appx of Appellant(s)<br><a href="#">Brief of Appellant</a> |
| Filed By: Melinda Swartz  |            |  |
| Comment: Appx to Brief of Appellant(s)  |            |  |
| OCCD CA   | 02-08-2018 | Motion to Extend Time  |
| Filed By: Melinda Swartz  |            |  |
| Submit Date: 2-8-2018   |            |  |
| Decision: (G) Grant   |            |  |
| Decision Date: 2-12-2018  |            |  |
| ORD that the time for the appellant to file an appellant's brief is extended until February 12, 2018. See |            |  |
| Wis. Stat. Rule 809.82(2)(a) (2015-16)  |            |  |
| See BAP event due on 2-12-2018  |            |  |
| Comment: Amended; 11  |            |  |
| OCCD CA   | 02-07-2018 | Motion to Extend Time  |
| Filed By: Melinda Swartz  |            |  |
| Submit Date: 2-7-2018   |            |  |
| Decision: (G) Grant   |            |  |
| Decision Date: 2-8-2018   |            |  |
| ORD that the time for the appellant to file an appellant's brief is extended until February 8, 2018. See  |            |  |
| Wis. Stat. Rule 809.82(2)(a) (2015-16).   |            |  |
| See BAP event due on 2-8-2018   |            |  |
| Comment: 10   |            |  |
| OCCD CA   | 01-26-2018 | Motion to Extend Time  |
| Filed By: Melinda Swartz  |            |  |
| Submit Date: 1-29-2018  |            |  |
| Decision: (G) Grant   |            |  |
| Decision Date: 1-30-2018  |            |  |
| ORD that the deadline for Brown to file his appellant's brief and appendix is extended to February 6,     |            |  |
| 2018.   |            |  |
| See BAP event due on 2-6-2018   |            |  |
| Comment: 9  |            |  |
| OCCD CA   | 01-19-2018 | Motion to Extend Time  |
| Filed By: Melinda Swartz  |            |  |
| Submit Date: 1-22-2018  |            |  |
| Decision: (G) Grant   |            |  |
| Decision Date: 1-23-2018  |            |  |
| ORD that the deadline for Brown to file his appellants' brief and appendix is extended to Janaury 26,     |            |  |
| 2018.   |            |  |
| Motion Response   |            |  |

Filed By: Melinda Swartz  
Submit Date: 1-23-2018  
See BAP event due on 1-26-2018  
Comment: 8

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OCCD CA 01-10-2018 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 1-11-2018  
Decision: (G) Grant  
Decision Date: 1-12-2018  
ORD that the deadline for Brown to file his appellant's brief and appendix in this matter is extended to January 19, 2018.  
See BAP event due on 1-19-2018  
Comment: 7

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OCCD CA 01-03-2018 Supplement to Record  
Comment: ELECTRONICALLY FILED: 152-1 to 155-1

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OCCD CA 01-03-2018 Supplement to Record  
Comment: 142-1 to 151-1

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OCCD CA 12-27-2017 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 12-28-2017  
Decision: (G) Grant  
Decision Date: 12-29-2017  
IT IS ORDERED that the clerk of the circuit court shall include the above-listed items in the appellate record no later than ten days from the date of this order. IT IS FURTHER ORDERED that the deadline for filing the appellants brief is extended until five days after the date the record is supplemented.  
See BAP event due on 12-28-2017  
Comment: 6

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OCCD CA 12-19-2017 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 12-20-2017  
Decision: (G) Grant  
Decision Date: 12-21-2017  
IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until December 28, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 12-28-2017  
Comment: 5

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OCCD CA 12-07-2017 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 12-8-2017  
Decision: (G) Grant  
Decision Date: 12-11-2017  
ORD that the time for the appellant to file an appellant's brief is extended until December 19, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BAP event due on 12-19-2017  
Comment: 4th

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| OCCD CA   | 11-17-2017 | Motion to Extend Time                  |
| Filed By: Melinda Swartz<br>Submit Date: 11-20-2017<br>Decision: (G) Grant<br>Decision Date: 11-21-2017<br>ORD that the deadline for Brown to file the appellant's brief and appendix in this matter is extended to December 7, 2017.<br>See BAP event due on 12-7-2017                                       |            |  |
| OCCD CA   | 10-17-2017 | Motion to Extend Time                  |
| Filed By: Melinda Swartz<br>Submit Date: 10-18-2017<br>Decision: (G) Grant<br>Decision Date: 10-19-2017<br>ORD that the time for the appellant to file an appellant's brief is extended until November 20, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).<br>See BAP event due on 11-20-2017<br>Comment: 2 |            |  |
| OCCD CA   | 09-20-2017 | Motion to Extend Time                  |
| Filed By: Melinda Swartz<br>Submit Date: 9-20-2017<br>Decision: (G) Grant<br>Decision Date: 9-22-2017<br>IT IS ORDERED that the deadline for Brown to file his appellant's brief and appendix is extended to October 18, 2017.<br>See BAP event due on 10-18-2017   |            |  |
| OCCD CA   | 08-14-2017 | Non-Electronic Record Item             |
| Comment: Exhibit 10- Machner Hearing - DVD  |            |  |
| OCCD CA   | 08-11-2017 | Sealed Documents                       |
| Comment: Sealed Doc #s 15-41, 82-90, 143-149  |            |  |
| OCCD CA   | 08-11-2017 | Record                                 |
| Comment: ELECTRONICALLY FILED; 1-2 to 141-9   |            |  |
| OCCD CA   | 07-19-2017 | Statement on Transcript                |
| Filed By: Melinda Swartz<br>Status: Prev. Filed<br>Comment: 7/21/17 - rcvd. addtnl. copy of SRT via first class mail  |            |  |
| OCCD CA   | 07-10-2017 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA   | 07-10-2017 | Fee Paid                               |
| Comment: Receipt No: 17R 001588   |            |  |

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| OCCD CA   | 07-10-2017 | Notice of Appeal & Circuit Court Docket Entries  |
| OCCD CA   | 07-10-2017 | X Transfer                                       |
| OCCD CA   | 07-05-2017 | Notice of Appeal filed in Cir. Ct.               |
| OCCD CA   | 06-15-2017 | Order of Circuit Court                           |
| OCCD CA   | 05-15-2017 | Mot. Extend Time to Decide Postconviction Motion |
| <p>Filed By: Melinda Swartz<br/> Submit Date: 5-15-2017<br/> Decision: (G) Grant<br/> Decision Date: 5-17-2017<br/> ORD that the deadline for the circuit court to decide Brown's postconviction motion is extended through 6-15-2017. See Wis. Stat. Rule 809.82(2)(a)(2015-16).</p>                                       |            |  |
| OCCD CA   | 03-22-2017 | Mot. Extend Time to Decide Postconviction Motion |
| <p>Filed By: Melinda Swartz<br/> Submit Date: 3-22-2017<br/> Decision: (G) Grant<br/> Decision Date: 3-23-2017<br/> IT IS ORDERED that the deadline for deciding the postconviction motion is extended until May 15, 2017.<br/> Comment: 7th</p>  |            |  |
| OCCD CA   | 01-31-2017 | Mot. Extend Time to Decide Postconviction Motion |
| <p>Filed By: Melinda Swartz<br/> Submit Date: 1-31-2017<br/> Decision: (G) Grant<br/> Decision Date: 2-1-2017<br/> IT IS ORDERED that the deadline for the circuit court to decide the postconviction motion is extended to March 31, 2017.<br/> Comment: 6th</p>   |            |  |
| OCCD CA   | 10-07-2016 | Mot. Extend Time to Decide Postconviction Motion |
| <p>Filed By: Melinda Swartz<br/> Submit Date: 10-10-2016<br/> Decision: (G) Grant<br/> Decision Date: 10-11-2016<br/> IT IS ORDERED that the deadline for the circuit court to decide Brown's postconviction motion is extended through January 31, 2017. See Wis. Stat. Rule 809.82(2)(a) (2013-14).<br/> Comment: 5th</p> |            |  |
| OCCD CA   | 08-05-2016 | Mot. Extend Time to Decide Postconviction Motion |
| <p>Filed By: Melinda Swartz<br/> Submit Date: 8-5-2016<br/> Decision: (G) Grant<br/> Decision Date: 8-8-2016</p>  |            |  |

IT IS ORDERED that the deadline for the circuit court to decide Brown's postconviction motion is extended through October 7, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 4th

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OCCD CA 05-16-2016 Mot. Extend Time to Decide Postconviction Motion  
Filed By: Melinda Swartz  
Submit Date: 5-17-2016  
Decision: (G) Grant  
Decision Date: 5-18-2016  
ORD that the deadline for deciding the postconviction motion is extended until August 15, 2016.

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OCCD CA 03-17-2016 Mot. Extend Time to Decide Postconviction Motion  
Filed By: Melinda Swartz  
Submit Date: 3-18-2016  
Decision: (G) Grant  
Decision Date: 3-21-2016  
IT IS ORDERED that the deadline for the circuit court to decide the postconviction motion is extended to May 17, 2016.  
Comment: 2d

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OCCD CA 01-19-2016 Mot. Extend Time to Decide Postconviction Motion  
Filed By: Melinda Swartz  
Submit Date: 1-19-2016  
Decision: (G) Grant  
Decision Date: 1-20-2016  
ORD that the deadline for the circuit court to decide the postconviction motion is extended to March 18, 2016.

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OCCD CA 11-10-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 11-10-2015  
Decision: (G) Grant  
Decision Date: 11-12-2015  
IT IS ORDERED that the deadline for filing a postconviction motion or a notice of appeal is extended through November 17, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 6th

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OCCD CA 11-02-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 11-3-2015  
Decision: (G) Grant  
Decision Date: 11-4-2015  
IT IS ORDERED that the deadline for Brown to file a postconviction motion or a notice of appeal is extended through November 10, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 5th

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OCCD CA 10-16-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 10-19-2015  
Decision: (G) Grant  
Decision Date: 10-20-2015



IT IS ORDERED the deadline for Brown to file a postconviction motion or a notice of appeal is extended through 11/03/15. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 4th

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OCCD CA 09-04-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 9-8-2015  
Decision: (G) Grant  
Decision Date: 9-9-2015  
IT IS ORDERED that the deadline for Brown to file a postconviction motion or a notice of appeal is extended through October 19, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 3d

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OCCD CA 07-07-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 7-7-2015  
Decision: (G) Grant  
Decision Date: 7-8-2015  
IT IS ORDERED that the deadline for Brown to file a postconviction motion or a notice of appeal is extended through September 4, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).  
Comment: 2d

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OCCD CA 05-01-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Melinda Swartz  
Submit Date: 5-1-2015  
Decision: (G) Grant  
Decision Date: 5-4-2015  
IT IS ORDERED the time for filing a notice of appeal or a postconviction motion is extended to 07/06/15. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

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OCCD CA 02-24-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Colleen Ball  
Submit Date: 2-24-2015  
Decision: (G) Grant  
Decision Date: 2-25-2015  
IT IS ORDERED that Brown shall file a postconviction motion or notice of appeal in this matter within sixty days of the date on which successor counsel is appointed.

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OCCD CA 01-09-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Randall Paulson  
Submit Date: 1-12-2015  
Decision: (G) Grant  
Decision Date: 1-13-2015  
IT IS ORDERED that the deadline for Brown to file a postconviction motion or a notice of appeal is extended through March 10, 2015. See WIS. STAT. RULE 809.82(2)(a) (2011-12).

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OCCD CA 09-02-2014 Mot. Extend Time to file Transcript  
Filed By: Christine Zapf  
Submit Date: 9-2-2014  
Decision: (G) Grant  
Decision Date: 9-3-2014

IT IS ORDERED that the time for filing the transcripts in this case is extended to October 30, 2014. See Wis. Stat. Rule 809.11(7) (2011-12).

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OCCD CA 05-28-2014

Judgment of Circuit Court

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