

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Shayd C. Mitchell**

**Appeal Number 2017AP001536 - CR**

**Court of Appeals District 3**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	01-15-2019		Remittitur
OCCD	SC	10-24-2018		Affidavit of No Service filed Comment: Attorney General not served with a copy of the no-merit petition for review response.
OCCD	CA	09-26-2018		Cites 921 N.W.2d 14
OCCD	CA	09-26-2018		Cites 384 Wis. 2d 271
OCCD	CA	09-26-2018		Opinion Ordered Unpublished
OCCD	SC	09-10-2018		Court Order ORD that defendant-appellant-petitioner, Shayd C. Mitchell, shall have until 10/10/18, to serve and file a supplemental petition in support of the no-merit petition for review. If the supplemental petition is not filed by that time, this matter will be disposed of based solely on the no-merit petition filed by Attorney Leonard Kachinsky.
OCCD	SC	09-10-2018		Response Comment: From Shayd Mitchell, or his counsel, re: status of SPD's decision on whether or not to appoint substitute counsel; fax rec'd from Atty Kachinsky attaching letter from SPD denying appointment of replacement counsel
OCCD	SC	09-04-2018		Sua Sponte Filed By: Supreme Court Submit Date: 9-4-2018 Decision: (O) Other Decision Date: 9-6-2018 ORD that the petition for review in this matter shall be held in abeyance pending further order of the court. FRO that as soon as possible following the decision of the Office of the State Public Defender on the request for the appointment of substitute counsel, but no later than 9/28/18, defendant-appellant-petitioner or his counsel shall advise the court in writing as to whether the Office of

the State Public Defender has granted or denied the request for the appointment of substitute appellate counsel.

Comment: Letter from Shayd Mitchell re: NM Petition for Review, appointment of new counsel by SPD

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OCCD SC 08-22-2018 Fee Waived  
Comment: SPD in COA

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OCCD SC 08-22-2018 Petition for Review  
Filed By: Leonard Kachinsky  
Submit Date: 11-7-2018  
Decision: (D) Deny  
Decision Date: 1-15-2019  
ORD that the petition for review is denied, without costs.  
Motion Response  
Filed By: Shayd Mitchell  
Submit Date: 11-7-2018  
Comment: NM-PRE; pro-se portion due 10/10/18 (per cto 9/10/18); NOS filed by AG 10-24-18

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OCCD CA 08-07-2018 [Opinion/Decision](#)  
Judge Panel: Stark, Hruz, Seidl  
Opinion: Opinion  
Decision: Affirmed Pages: 11  
Written by: Hruz, Thomas M.  
Order Text: Judgment and orders affirmed

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OCCD CA 02-07-2018 Letter/Correspondence  
Comment: from appellant, expressing dissatisfaction with counsel's performance

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OCCD CA 02-06-2018 Submitted on Briefs

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OCCD CA 12-21-2017 Briefs Received At State Law Library

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OCCD CA 12-04-2017 Record and Briefs Sent to District 3

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OCCD CA 12-01-2017 [Reply Brief](#)  
[Reply Brief](#)  
Filed By: Leonard Kachinsky  
Comment: Note that the appeal number has been corrected on all briefs. Please use this number on all future correspondence.

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OCCD CA 11-20-2017 [Brief of Respondent\(s\)](#)  
[Brief of Respondent](#)  
Filed By: 32925 (O'Neil, Aaron)

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OCCD CA 11-09-2017 Motion to Extend Time  
Filed By: 32925 (O'Neil, Aaron)  
Submit Date: 11-9-2017

Decision: (G) Grant  
Decision Date: 11-13-2017  
ORD that the time for filing the respondent's brief is extended to 11/24/17.  
See BRS event due on 11-24-2017  
Comment: 2nd request

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OCCD CA 10-09-2017 Motion to Extend Time  
Filed By: 32925 (O'Neil, Aaron)  
Submit Date: 10-10-2017  
Decision: (G) Grant  
Decision Date: 10-11-2017  
ORD that the time for filing the respondent's brief is extended to 11-9-2017.  
See BRS event due on 11-9-2017

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OCCD CA 09-13-2017 Attorney Change  
Comment: Added AAG Aaron R. O'Neil as counsel for State per letter.

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OCCD CA 09-12-2017 Non-Electronic Record Item  
Comment: Exhibit #3: Photo; Exhibit #4: Photo of Defendant; Exhibit #5: Defendant's Phone; Exhibit #7: Defendant's Kindle; Exhibit #9-#80: Photos of Text Messages; Exhibit #86: DVD/Audio of Phone Call; Exhibit #87: Final Offer

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OCCD CA 09-08-2017 Brief & Appx of Appellant(s)  
[Brief of Appellant\(s\) Certifications](#)  
[Brief of Appellant](#)  
Filed By: Leonard Kachinsky  
Comment: Note that the appeal number has been corrected on all briefs. Please use this number on all future correspondence.

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OCCD CA 09-08-2017 Record  
Comment: ELECTRONICALLY FILED; 1-12 to 103-22

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OCCD CA 08-31-2017 Letter/Correspondence  
Comment: "notice of compilation of record and index" filed by clerk of circuit court.

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OCCD CA 08-09-2017 Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 08-09-2017 Fee Waived

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OCCD CA 08-09-2017 Notice of Appeal & Circuit Court Docket Entries

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OCCD CA 08-09-2017 X Transfer

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OCCD CA 08-08-2017 Statement on Transcript  
Filed By: Leonard Kachinsky  
Status: Prev. Filed

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OCCD CA 08-02-2017 Notice of Appeal filed in Cir. Ct.

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OCCD CA 07-31-2017 Mot. Extend Time to file NAP/PCM

Filed By: Leonard Kachinsky

Submit Date: 7-31-2017

Decision: (G) Grant

Decision Date: 8-1-2017

ORD that the time for filing a notice of appeal is extended to 8-21-2017.

Comment: 9th request

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OCCD CA 06-02-2017 Mot. Extend Time to file NAP/PCM

Filed By: Leonard Kachinsky

Submit Date: 6-2-2017

Decision: (G) Grant

Decision Date: 6-5-2017

ORD that the time for filing a notice of appeal is extended to 8-1-2017.

Comment: 8th request

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OCCD CA 03-24-2017 Mot. Extend Time to file NAP/PCM

Filed By: Leonard Kachinsky

Submit Date: 3-27-2017

Decision: (G) Grant

Decision Date: 3-28-2017

ORD that the time for filing a notice of appeal is extended to 6/2/17.

Comment: 7th Request

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OCCD CA 01-27-2017 Mot. Extend Time to file NAP/PCM

Filed By: Leonard Kachinsky

Submit Date: 1-27-2017

Decision: (G) Grant

Decision Date: 1-30-2017

IT IS ORDERED that the time for filing a notice of appeal is extended to April 4, 2017.

Comment: 6th request

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OCCD CA 01-18-2017 Received SPD Appointment Order

Comment: Appointing Atty Leonard D. Kachinsky

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OCCD CA 12-14-2016 Miscellaneous Motion on XX-Case

Filed By: Joseph Ehmann

Submit Date: 12-15-2016

Decision: (O) Other

Decision Date: 12-19-2016

IT IS ORDERED that within five days of the date of this order, the circuit court clerk shall send the materials delineated under WIS. STAT. RULE 809.30(2)(c) to the SPD Madison Appellate Intake Office.

IT IS FURTHER ORDERED that the time for filing a notice of appeal is extended to February 3, 2017.

Comment: MXT for COC to Send Clerk's Materials to SPD Appellate Intake Ofc Pursuant to WIS. STAT. 809.30(2)(c)

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OCCD CA 11-16-2016 Mot. Extend Time to file NAP/PCM

Filed By: Shayd Mitchell  
Submit Date: 11-16-2016  
Decision: (G) Grant  
Decision Date: 11-17-2016  
ORD that the time for filing a notice of appeal is extended to 1/3/17.  
Comment: 5th request

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OCCD CA 11-02-2016 Mot. Extend Time to file NAP/PCM  
Filed By: Shayd Mitchell  
Submit Date: 11-2-2016  
Decision: (D) Deny  
Decision Date: 11-4-2016  
IT IS ORDERED that the motion to extend the time for the circuit court to decide the postconviction motion is dismissed.  
Comment: 4th Request

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OCCD CA 10-27-2016 Order of Circuit Court

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OCCD CA 10-19-2016 Order of Circuit Court

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OCCD CA 09-30-2016 Mot. Extend Time to file NAP/PCM  
Filed By: Shayd Mitchell  
Submit Date: 9-30-2016  
Decision: (O) Other  
Decision Date: 10-3-2016  
ORD that the time for the circuit court to enter an order deciding the postconviction motion is extended to 10/31/16. FRO that the motion to extend the time for ifling a notice of appeal is dismissed as prematurely filed.  
Comment: 3rd request; letter again sent to D3-Wausau and forwarded to clerk's office...can we please note this in resulting order? All future filings s/b sent directly to clerk's ofc in Madison?

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OCCD CA 12-28-2015 Sua Sponte  
Filed By: Shayd Mitchell  
Submit Date: 12-28-2015  
Decision: (G) Grant  
Decision Date: 12-30-2015  
ORD that the time for Mitchell to file a second WIS STAT RULE 809.30 postconviction motion is extended to January 29, 2016.  
Comment: Letter from Mitchell to CA.

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OCCD CA 11-30-2015 Mot. Extend Time to file NAP/PCM  
Filed By: Shayd Mitchell  
Submit Date: 11-30-2015  
Decision: (O) Other  
Decision Date: 12-3-2015  
ORD that the motion to authorize the filing of a second WIS. STAT. RULE 809.30 postconviction motion is denied. FRO that the time for filing a notice of appeal is extended to 20 days from the date of this order.  
Comment: 2nd request

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OCCD CA 04-29-2015 Mot. Extend Time to file NAP/PCM

Filed By: Shayd Mitchell

Submit Date: 4-29-2015

Decision: (G) Grant

Decision Date: 4-30-2015

ORD that the time for ordering transcripts and requesting a copy of the circuit court case record is extended to 30 days from the date of this order.

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OCCD CA 02-22-2015

Judgment of Circuit Court

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