Wisconsin Supreme Court and Court of Appeals Case Access

State v. Chase M.A. Boruch

Appeal Number 2018AP000152

Court of Appeals District 3

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	11-18-2020		Remittitur

OCCD	SC	08-10-2020		Motion for Miscellaneous Relief

Filed By: Chase Boruch
Submit Date: 8-10-2020
Decision: (G) Grant
Decision Date: 8-11-2020
IT IS ORDERED that the motion is granted. Mr. Boruch shall have until September 10, 2020 to serve and file a statement in support of his petition for review.
Comment: MXT to file statement in support of petition for review

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OCCD	CA	07-29-2020		Cites

393 Wis. 2d 594

OCCD	CA	07-29-2020		Cites

947 N.W.2d 641

OCCD	CA	07-29-2020		Opinion Ordered Unpublished

OCCD	CA	07-22-2020		Errata Issued

OCCD	SC	06-22-2020		Indigency Forms Sent

Filed By: Supreme Court Supreme Court
Submit Date: 7-9-2020
Decision: (G) Grant
Decision Date: 7-9-2020
ORD court grants permission to proceed without payment of filing fee.
Motion Response
Filed By: Chase Boruch
Submit Date: 7-9-2020

OCCD	SC	06-11-2020		Motion for Miscellaneous Relief

Filed By: Chase Boruch
Submit Date: 6-17-2020

Decision: (O) Other
Decision Date: 6-19-2020
IT IS ORDERED that this petition shall be deemed to be a timely petition for review. However, a statement in support of the petition, conforming to the requirements of Wis. Stat. 809.62(2) and (4), must be filed with the clerk of this court by August 18, 2020. If the statement is not filed by that time, this court will dispose of this matter based solely on the documents that have been filed.
Comment: Petition for Review and Motion for Extension and Permission to Amend

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OCCD SC 06-11-2020 Petition for Review

Filed By: Chase Boruch
Submit Date: 9-18-2020
Decision: (D) Deny
Decision Date: 11-18-2020
ORD that the petition for review is denied, without costs.
ANN WALSH BRADLEY, J., did not participate.
Motion Response
Filed By: Chase Boruch
Submit Date: 9-18-2020
Motion Response
Filed By: Kara Janson
Submit Date: 9-18-2020
Comment: Petition for Review and Motion for Extension and Permission to Amend; statement in support due 8/18/20 (per cto 6/19/20); due date extended per cto 8/11/20

OCCD CA 05-19-2020 Opinion/Decision

Judge Panel: Stark, Hruz, Seidl
Opinion: Opinion
Decision: Affirmed Pages: 13
Written by: Seidl, Mark A.
Order Text: Order affirmed. ERRATA ISSUED July 22, 2020.

OCCD CA 12-10-2019 Submitted on Briefs

OCCD CA 10-16-2019 Hold Status

OCCD SC 07-12-2019 Sua Sponte

Filed By: Supreme Court Supreme Court
Submit Date: 7-12-2019
Decision: (D) Deny
Decision Date: 7-15-2019
ORD that the motion is denied and that on or before July 31, 2019, defendant-appellant shall pay the $195.00 filing fee or file a conforming petition for waiver of fees that establishes good cause for waiving the filing fee. If the filing fee is not paid or a petition for waiver of fees is not filed by that time, the petition for bypass will be subject to dismissal under Wis. Stat. (Rule) 809.83. Another blank copy of the petition for waiver of fees is attached to defendant-appellants copy of this order. A petition for bypass is a separate proceeding under Wis. Stat. (Rule) 809.25(2)(a)1. for which a filing fee must either be paid or be waived due to indigency.
Comment: Letter from Boruch requesting SC waive filing fee for petition to bypass based on CA fee waiver of 1/25/18

OCCD CA 07-01-2019 Briefs Received At State Law Library

OCCD SC 06-27-2019 Motion for Miscellaneous Relief

Filed By: Chase Boruch
Submit Date: 6-27-2019
Decision: (G) Grant
Decision Date: 6-28-2019
ORD that the motion is granted. On or before 7/12/19, defendant-appellant, Chase M.A. Boruch, shall either supplement his current petition to bypass with a copy of the petition to bypass filed on 4/13/18, and serve and file one copy with the court; or serve and file one copy of a new supplement to the petition to bypass to have this court review. If a supplement to the petition is not filed by 7/12/19, this petition will be summarily dismissed.
Comment: MXT to file supplement to petition to bypass

OCCD SC 06-12-2019 Indigency Forms Sent

Filed By: Supreme Court Supreme Court
Submit Date: 7-22-2019
Decision: (G) Grant
Decision Date: 7-22-2019
ORD court grants permission to proceed without payment of filing fee.
Motion Response
Filed By: Chase Boruch
Submit Date: 7-22-2019
Comment: fee waiver forms sent to Boruch with 6/14/19 SC cto, due by 6/28/19 or bypass to be dismissed; due date extended to 7/31/19 (per cto 7/15/19)

OCCD SC 06-12-2019 Petition to Bypass

Filed By: Chase Boruch
Submit Date: 8-20-2019
Decision: (D) Deny
Decision Date: 10-15-2019
ORD that the petition to bypass is denied, without costs.
Motion Response
Filed By: Chase Boruch
Submit Date: 8-20-2019
Comment: Supplement to petition filed 7/12/19

OCCD SC 06-12-2019 Sua Sponte

Filed By: Unassigned District 3
Submit Date: 6-12-2019
Decision: (O) Other
Decision Date: 6-14-2019
ORD that Mr. Boruch's letter filed on 6/12/19, is deemed to be a petition to bypass the court of apepals and is accepted for filing. However, the petition to bypass is incomplete. Therefore, on or before 6/28/19, Mr. Boruch shall either supplement his current petition with a copy of the petition to bypass filed on 4/13/18, and serve and file one copy with the court; or serve and file one copy of a new supplement to the petition to bypass to have this court review. If a supplement to the petition is not filed by 6/28/19, this petition will be summarily dismissed. FRO that on or before 6/28/19, Mr. Boruch shall pay the $195 filing fee or file a petition for waiver of fees that establishes good cause for waiving the filing fee, or the petition will be subject to dismissal under Wis. Stat. (Rule) 809.83. A blank petition for waiver of fees is attached to Mr. Boruch's copy of this order.
Comment: Letter from Chase Boruch seeking renewal of Petition to Bypass as briefing is now complete on appeal (see SC cto of 4/16/18)

OCCD CA 06-11-2019 Record and Briefs Sent to District 3

OCCD CA 06-07-2019 Certificate of Filing by Mail

Comment: re: reply brief, mailed 6/4/19

OCCD CA 06-07-2019 Reply Brief
Reply Brief

Filed By: Chase Boruch

Comment: Reply Brief Appx to Reply Brief

OCCD CA 05-15-2019 Motion to Extend Time

Filed By: Chase Boruch
Submit Date: 5-15-2019
Decision: (G) Grant
Decision Date: 5-16-2019
ORD that the time for filing the reply brief is extended to 6-7-2019.
See BRY event due on 6-7-2019

OCCD CA 05-07-2019 Brief of Respondent(s)
Brief of Respondent

Filed By: Kara Mele

OCCD CA 04-30-2019 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 5-1-2019
Decision: (G) Grant
Decision Date: 5-2-2019
ORD that the time for filing the respondent's brief is extended to 5-7-2019.
See BRS event due on 5-7-2019
Comment: 2nd request

OCCD CA 04-15-2019 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 4-16-2019
Decision: (G) Grant
Decision Date: 4-18-2019
ORD that the time for filing the respondent's brief is extended to 4/30/19.
See BRS event due on 4-30-2019

OCCD CA 03-21-2019 Letter/Correspondence

Comment: From Chase Boruch, dated 3/18/19, seeking confirmation of respondent's brief deadline.

OCCD CA 03-14-2019 Sealed Documents

Comment: #126,#130,#135,#136,#137

OCCD CA 03-14-2019 Record

Comment: REFILE 1-11 to 347-1 ELECTRONICALLY FILED

OCCD CA 03-08-2019 Brief & Appx of Appellant(s)
Brief of Appellant

Filed By: Chase Boruch

Comment: Separate Appendix. Please note due to the premature filing of the appellant's brief, the respondent's brief will be due 30 days from the filing of the circuit court record at the court of appeals. Brief of Appellant(s) Appx to Brief of Appellant(s)

OCCD CA 02-14-2019 Statement on Transcript

Filed By: Chase
Status Boruch: Ordered
Comment: CRS filed 1-31-19, transcripts on file

OCCD CA 02-05-2019 Sua Sponte

Filed By: Unassigned District 3
Submit Date: 2-5-2019
Decision: (O) Other
Decision Date: 2-6-2019
ORD that this court will accept the existing copies of the appendix with the copies of the appellant's new brief, when filed.
Comment: Letter from Chase Boruch re: 1/16/19 cto, seeking amended order

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OCCD CA 01-31-2019 Transcript filed in Circuit Court

OCCD CA 01-31-2019 Court Reporter's Statement-Trans.

Court Reporter Name: (Prahl, Marissa)

OCCD CA 01-16-2019 Record Remanded to Circuit Court

Comment: E-RECORD REMANDED TO CIRCUIT COURT PER CTO 1/16/19

OCCD CA 12-28-2018 Court Order

ORD that on or before 1-10-2019, Chase Boruch must notify this court whether he seeks the transcript of the hearing on his waiver of the transcript fee.
FRO that briefing is stayed pending further order of this court.
See MMS event filed on 12-20-2018

OCCD CA 12-20-2018 Motion for Miscellaneous Relief

Filed By: Kara Mele
Submit Date: 12-20-2018
Decision: (G) Grant
Decision Date: 1-16-2019
ORD that this court shall retain jurisdiction over this appeal but will remand the record to the circuit court to enter the appropriate order consistent with the procedures set forth in State v. Jacobus, 167 Wis. 2d 230, 481 N.W.2d 642 (Ct. App. 1992). FRO that the existing statement on transcript is stricken. The appellant shall file a statement on transcript regarding the Girouard hearing transcript within 10 days of the date of this order. FRO that upon its filing, the circuit court clerk shall immediately transmit the Girouard hearing transcript by supplemental return. FRO that the appellant's existing brief is stricken. If the appellant wants the stricken brief(s) return to him he must make arrangements with the clerk of this court. FRO that the appellant's brief is due 30 days from the date of the supplemental return.

Motion Response
Filed By: Chase Boruch
Submit Date: 1-2-2019
This motion contains court order(s).
Comment: to determine whether transcript from Girouard hearing is necessary for prosecution of the appeal.

OCCD CA 12-11-2018 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 12-12-2018
Decision: (G) Grant
Decision Date: 12-13-2018
ORD that the time for filing the respondent's brief is extended to 12/27/18.
See BRS event due on 12-27-2018
Comment: 2nd request

OCCD CA 11-05-2018 Motion to Extend Time

Filed By: Kara Mele
Submit Date: 11-6-2018
Decision: (G) Grant
Decision Date: 11-9-2018
ORD that the time for filing the respondent's brief is extended to 12-12-2018.
See BRS event due on 12-12-2018

OCCD CA 10-12-2018 Brief & Appx of Appellant(s)

Filed By: Chase Boruch

Comment: Separate Appendix; **BRIEF STRICKEN PER CTO 1/16/19**

OCCD CA 09-17-2018 Motion to Extend Time

Filed By: Chase Boruch
Submit Date: 9-17-2018
Decision: (G) Grant
Decision Date: 9-19-2018
ORD that the time for filing the appellant's brief and the appendix is extended to 10-5-2018. We anticipate no additional delays.
See BAP event due on 10-5-2018
Comment: 4th request

OCCD CA 09-06-2018 Motion to Extend Time

Filed By: Chase Boruch
Submit Date: 9-6-2018
Decision: (G) Grant
Decision Date: 9-7-2018
ORD that the time for filing the appellant's brief and appendix is extended to 9/20/18.
See BAP event due on 9-20-2020
Comment: 3rd request

OCCD CA 08-21-2018 Motion to Extend Time

Filed By: Chase Boruch
Submit Date: 8-21-2018

Decision: (G) Grant
Decision Date: 8-28-2018
ORD that the time for filing the appellant's brief and appendix is extended to 9-10-2018.
See BAP event due on 9-10-2018
Comment: 2nd request

OCCD CA 08-08-2018 Letter/Correspondence

Comment: from Chase Boruch, indicating he has not been notified the supplement to the record has been made. Letter is dated 8-1-2018, supplement filed 8-1-2018.

OCCD CA 08-01-2018 Supplement to Record

Comment: 318-6 to 320-1, ELECTRONICALLY FILED

OCCD CA 07-30-2018 Letter/Correspondence

Comment: Copy of letter from Chase Boruch, dated 7/26/18, to COC re: supplemental record not yet received, asks if there is addl information needed from him.

OCCD CA 06-18-2018 Attorney Change

Comment: Added AAG Kara L. Mele as counsel for State per letter.

OCCD CA 06-11-2018 Sua Sponte

Filed By: Unassigned District 3
Submit Date: 7-3-2018
Decision: (O) Other
Decision Date: 7-11-2018
ORD that we will not accept the brief and appendix for filing until we receive 4 additional copies of the same.
FRO that the motion to supplement the record with letters from Boruch to the circuit court judge dated 12-21-17 and 1-4-18 is granted, The circuit court clerk shall immediately transmit the documents by supplemental return.
FRO that the time for filing the appellant's brief and appendix is extended to 30 days from the date of the supplemental return.
FRO that the motion for summary disposition is denied.
Comment: Rec'd 1 copy of appellant's brief w/letter seeking waiver of 4 addl copies, request to supplement circuit court record and renewal of request for summary disposition

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OCCD CA 05-17-2018 Motion to Extend Time

Filed By: Chase Boruch
Submit Date: 5-17-2018
Decision: (G) Grant
Decision Date: 5-18-2018
ORD that time for filing the appellant's brief is extended to 6/15/18.
See BAP event due on 6-15-2018

OCCD CA 04-20-2018 Record

Comment: 1-11 to 317-45 (electronically filed)

OCCD CA 04-19-2018 Non-Electronic Record Item

Comment: Exhibits 1-115, CDs Exhibit #2 (Elizabeth Ehrhardts Video Testimony), #15 (Lifequotes

Recording of Phone Call), #20 (Recordings of American General Phone Calls), #24 (911 Recordings), #30 (Dash Cam Stills), #95 (Recordings of Lt. Gartmanns Interview with Chase Boruch), #101 (squad video)

OCCD SC 04-13-2018 Indig. Forms/Motion filed by pro se

Filed By: Chase Boruch
Submit Date: 4-16-2018
Decision: (N) No Action
Decision Date: 4-16-2018
no action, petition for bypass dismissed as premature

OCCD SC 04-13-2018 Petition to Bypass

Filed By: Chase Boruch
Submit Date: 4-13-2018
Decision: (M) Dismiss
Decision Date: 4-16-2018
ORD that the petition to bypass is dismissed as being premature, without costs. See Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Servs. 130 Wis 2d 56, 62-63, 387. N.W. 2d 245 (1986)(noting dismissal of initial petition to bypass as premature because the briefs on appeal had not been filed)

OCCD CA 04-13-2018 Delinquent

Comment: New due date of connected REC: 4-30-2018

OCCD CA 03-08-2018 Statement on Transcript

Filed By: Chase
Status Boruch: Not Needed
Comment: MSD pending (+12); MSD denied 2/7/18, SRT due date adjusted accordingly; dlq new due date 3/7/18 (sample SRT sent w/DLQ)

OCCD CA 02-28-2018 Delinquent

Comment: New due date of connected SRT: 3-7-2018

OCCD CA 02-12-2018 Motion for Miscellaneous Relief

Filed By: Chase Boruch
Submit Date: 2-12-2018
Decision: (M) Dismiss
Decision Date: 2-13-2018
ORD that the motion to extend the time for filing the appellant's brief is dismissed as improvidently filed.
Comment: MXT/BAP - brief due date not yet established

OCCD CA 01-25-2018 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 01-25-2018 Motion for Summary Disposition

Filed By: Chase Boruch
Submit Date: 2-6-2018
Decision: (D) Deny
Decision Date: 2-7-2018
ORD that the motion for summary disposition is denied.

OCCD	CA	01-25-2018	Fee Waived
	Comment: filing fee waived based on indigency determination/order of 10/27/17 under 17AP2116		
OCCD	CA	01-25-2018	Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	01-23-2018	Notice of Appeal filed in Cir. Ct.
OCCD	CA	01-04-2018	Order of Circuit Court