

Wisconsin Supreme Court and Court of Appeals Case Access

Ezequiel Lopez-Quintero v. Michael A. Dittmann

Appeal Number 2018AP000203 - W

Court of Appeals District 2

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	07-29-2022		Remittitur Comment: T/J
OCCD	CA	06-21-2022		Response Comment: Response to PRE per cto 6/9/22
OCCD	SC	06-03-2022		Motion for Miscellaneous Relief Filed By: Kara Janson Submit Date: 6-6-2022 Decision: (G) Grant Decision Date: 6-9-2022 IT IS ORDERED that the motion is granted. Respondent's response shall be served and filed on or before June 21, 2022. Comment: MXT to file PRE Response
OCCD	SC	05-23-2022		Petition for Review Filed By: Gregory Wiercioch Submit Date: 1-18-2023 Decision: (D) Deny Decision Date: 1-18-2023 IT IS ORDERED that the petition for writ of habeas corpus is granted, ex parte; IT IS FURTHER ORDERED that the relief requested in the habeas petition, that the petition for review filed in State ex re. Ezequiel Lopez-Quintero, No. 2018AP203-W, be reinstated and deemed timely-filed, is granted. See State ex rel. Nichols v. Litscher, 2001 WI 119, 247 Wis.2d 1013, 635 N.W.2d 292; State ex rel. Schmelzer v. Murphy, 201 Wis. 2d 246, 548 N.W.2d 45 (1996); IT IS FURTHER ORDERED that the petition for review is denied. BRIAN HAGEDORN, J., did not participate. Comment: reinstated and denied by 1/18/23 cto 01-18-2023 Court Order
OCCD	SC	05-23-2022		Fee Waived Comment: PRE from previously remanded matter
OCCD	SC	05-23-2022		Petition for Review

[Reply to State's Response to Petition for Review](#)
[Response to Petition for Review](#)
[Petition for Review](#)

Filed By: Gregory Wiercioch
Submit Date: 6-22-2022
Decision: (M) Dismiss
Decision Date: 7-22-2022
IT IS ORDERED that the petition for review is dismissed.
Motion Response
Filed By: Kara Janson
Submit Date: 6-22-2022
Motion Response
Filed By: Gregory Wiercioch
Submit Date: 6-30-2022
Comment: 07-22-2022 Court Order

OCCD CA 04-19-2022 Motion for Reconsideration
Filed By: Gregory Wiercioch
Submit Date: 4-20-2022
Decision: (D) Deny
Decision Date: 4-21-2022
IT IS ORDERED that the motion for reconsideration is denied. WIS. STAT. RULE 809.24(2).

OCCD CA 04-01-2022 Opinion/Decision
Judge Panel: Gundrum, Neubauer, Kornblum
Opinion: Memo Opinion
Decision: Supervisory Writ Denied Pages: 6
Order Text: IT IS ORDERED that the petition for a writ of habeas corpus is denied without costs.

OCCD SC 11-11-2021 Invoice Issued
Comment: Invoice No: 18844 VOIDED on 11-11-2021 - entered in error

OCCD CA 10-01-2021 Response
Comment: response due by petitioner per cto of 6/2/21; new due date per cto of 8/20/21

OCCD CA 08-19-2021 Motion to Extend Time
Filed By: Gregory Wiercioch
Submit Date: 8-19-2021
Decision: (G) Grant
Decision Date: 8-20-2021
IT IS ORDERED that the time for the petitioner to file an additional response is extended to October 1, 2021. See WIS. STAT. RULE 809.82(2)(a).
See RSP event due on 10-1-2021
Comment: MXT to file petition's response

OCCD CA 07-01-2021 Motion for Miscellaneous Relief
Filed By: Kara Janson
Submit Date: 7-2-2021
Decision: (G) Grant
Decision Date: 7-8-2021

IT IS ORDERED that the time for the respondent to file an additional response is extended to August 2, 2021. See WIS. STAT. RULE 809.82(2)(a).

OCCD CA 06-02-2021

Court Order

IT IS ORDERED that the respondent shall file an additional response within thirty days after the date of this order.

IT IS FURTHER ORDERED that the petitioner shall file an additional response within thirty days of the respondents filing.

See WHC event filed on 2-1-2018

OCCD CA 05-10-2021

Response

Comment: Receive circuit court findings pursuant to 1/31/20 cto; 4/10/20; 7/6/20 -- received by email 5/10/21 from circuit court Response- Findings of Fact

OCCD CA 02-04-2021

Motion to Extend Time

Filed By: Gregory Wiercioch

Submit Date: 2-5-2021

Decision: (G) Grant

Decision Date: 2-8-2021

IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than May 10, 2021. See WIS. STAT. RULE 809.82(2)(a).

See RSP event due on 5-10-2021

Comment: 5th Request Motion to Extend Time - Circuit Court Findings (5th)

OCCD CA 11-25-2020

Motion to Extend Time

Filed By: Gregory Wiercioch

Submit Date: 11-25-2020

Decision: (G) Grant

Decision Date: 11-27-2020

IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than February 15, 2021. See WIS. STAT. RULE 809.82(2)(a).

Motion Response

Filed By: Gregory Wiercioch

Submit Date: 11-25-2020

Motion Response

Filed By: Gregory Wiercioch

Submit Date: 11-27-2020

See RSP event due on 2-15-2021

Comment: Motion to Extend Time - Circuit Court Proceedings

OCCD CA 09-28-2020

Motion to Extend Time

Filed By: Gregory Wiercioch

Submit Date: 9-28-2020

Decision: (G) Grant

Decision Date: 9-30-2020

IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than December 7, 2020. See WIS. STAT. RULE 809.82(2)(a).

See RSP event due on 12-7-2020

Comment: circuit court findings Motion to Extend Time (3rd) Court Order 09/30/20

OCCD CA 07-01-2020

Motion to Extend Time

Filed By: Gregory Wiercioch

Submit Date: 7-2-2020

Decision: (G) Grant

Decision Date: 7-6-2020

IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than October 7, 2020. See WIS. STAT. RULE 809.82(2)(a).

See RSP event due on 10-7-2020

Comment: circuit court findings Motion to Extend Time

OCCD CA 04-03-2020

Motion for Miscellaneous Relief

Filed By: Gregory Wiercioch

Submit Date: 4-3-2020

Decision: (G) Grant

Decision Date: 4-10-2020

IT IS ORDERED that the circuit court shall return its findings of fact relevant to the defense of laches no later than July 9, 2020. See WIS. STAT. RULE 809.82(2)(a).

Comment: mxt to file facts of finding Motion for Miscellaneous Relief Motion for Miscellaneous Relief

OCCD CA 01-29-2020

Motion to Extend Time

Filed By: Gregory Wiercioch

Submit Date: 1-29-2020

Decision: (G) Grant

Decision Date: 1-31-2020

ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than April 10, 2020.

See RSP event due on 4-10-2020

Comment: Court Order 01/31/20 Motion to Extend Time

OCCD CA 12-16-2019

Motion to Extend Time

Filed By: Kara Mele

Submit Date: 12-17-2019

Decision: (G) Grant

Decision Date: 12-18-2019

ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than March 11, 2020.

See RSP event due on 3-11-2020

Comment: for circuit court findings Court Order 12/18/19 Motion to Extend Time

OCCD CA 09-06-2019

Motion for Miscellaneous Relief

Filed By: Gregory Wiercioch

Submit Date: 9-6-2019

Decision: (G) Grant

Decision Date: 9-9-2019

ORD that the circuit court shall return its findings of fact relevant to the defense of laches no later than February 10, 2020. See Wis. Stat. Rule 809.82(2)(a).

Comment: MXT for circuit court deadline for returning findings Motion for Miscellaneous Relief Court Order 09/09/19

OCCD CA 08-14-2019

Court Order

ORD that this matter is remanded to the circuit court to conduct an evidentiary hearing and enter findings of fact relevant to the defense of laches. The circuit court shall return its findings within sixty days of the date of this order. This court will then either make the ultimate determination as to whether

to issue a writ or order additional responses from the parties based upon the circuit court's findings. FRO that either party may order a transcript of the hearing within five days after the completion of the hearing. In such an event, the court reporter shall have twenty days from the date the transcript is ordered to prepare and file the transcript. The requesting party shall provide a copy of this order to the court reporter.

See WHC event filed on 2-1-2018

Comment: Court Order 08/14/19

OCCD	CA	07-08-2019	Motion for Miscellaneous Relief
Filed By: Gregory Wiercioch			
Submit Date: 7-8-2019			
Decision: (G) Grant			
Decision Date: 7-15-2019			
ORD that the petitioner may file a reply to the respondent's response to the petition for writ of habeas corpus no later than July 31, 2019.			
Comment: MXT to file reply Reply to State's Response to Petition for Writ of Habeas Corpus Court Order 07/15/19 Motion for Miscellaneous Relief			

OCCD	CA	06-12-2019	Motion for Miscellaneous Relief
Filed By: Kara Mele			
Submit Date: 6-12-2019			
Decision: (G) Grant			
Decision Date: 6-14-2019			
ORD that the time for the respondent to file a response is extended to July 1, 2019. See Wis. Stat. Rule 809.82(2)(a).			
Comment: MXT to file response to writ			

OCCD	CA	06-05-2019	Attorney Change
Comment: Attorney Henak/Wisconsin Association of Criminal Defense Lawyers withdrawn per letter advising Attorney Henak does not represent the association for Court of Appeals proceedings.			

OCCD	CA	05-30-2019	Sua Sponte
Filed By: Unassigned District 2			
Submit Date: 5-30-2019			
Decision: (O) Other			
Decision Date: 5-31-2019			
ORD that the respondent shall file a response to the petition for a writ of habeas corpus within fourteen days after service of this order. Wis. Stat. Rule 809.51(2).			
Comment: Court of appeals decision reversed and cause remanded			

OCCD	SC	05-29-2019	Cites
387 Wis. 2d 50			

OCCD	SC	05-29-2019	Cites
928 N.W.2d 480			

OCCD	SC	05-29-2019	Court Changed to Court of Appeals
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OCCD	SC	05-29-2019	Remanded from WI Supreme Court
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OCCD SC	05-29-2019	Opinion/Decision
Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Bradley, Kelly, Dallet Opinion: Opinion Decision: Remanded to Court of Appeals Pages: 28 Written by: Bradley, Rebecca Grassl Kelly, Daniel Wrote Concurring Opinion 1 pages. Roggensack, Patience Drake Wrote Dissenting Opinion 15 pages. Ziegler, Annette K. Joined Dissenting Opinion Order Text: The decision of the court of appeals is reversed and remanded. Comment: Opinion/Decision		
OCCD SC	05-28-2019	Public Domain Citation
Comment: PDC No: 2019 WI 58		
OCCD SC	10-12-2018	Oral Argument
Comment: 2nd case, 9:45 a.m. Attorney Gregory W. Wiercioch for PET, Attorney Kara L. Mele for RES (NOTE: THIS CASE WILL BE ARGUED IN THE MONROE COUNTY JUSTICE CENTER AS PART OF THE COURT'S JUSTICE ON WHEELS PROGRAM)		
OCCD SC	10-04-2018	Briefs Received At State Law Library
OCCD SC	09-28-2018	Reply Brief-Supreme Court Reply Brief-Supreme Court
Filed By: Gregory Wiercioch Comment: Appendix to Reply Brief-Supreme Court		
OCCD SC	09-21-2018	Motion to Extend Time
Filed By: Gregory Wiercioch Submit Date: 9-21-2018 Decision: (G) Grant Decision Date: 9-24-2018 ORD that the motion is granted. See BR3 event due on 9-28-2018 Comment: expand word count to 5000		
OCCD SC	09-19-2018	Briefs Received At State Law Library
OCCD SC	09-13-2018	Brief of Amicus Curiae Brief of Amicus Curiae - WI Ass'n of Criminal Defense Lawyers
Filed By: Robert Henak Comment: WACDL Appx to Brief of Amicus Curiae - WI Ass'n of Criminal Defense Lawyers		
OCCD SC	09-13-2018	Motion to File Amicus/Non-Party Brief
Filed By: Robert Henak Submit Date: 9-13-2018 Decision: (G) Grant Decision Date: 9-14-2018		

ORD that the motion is granted and the brief is accepted for filing.
Comment: WACDL

OCCD SC	09-11-2018	Briefs Received At State Law Library
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OCCD SC	09-10-2018	Motion to Extend Time
	Filed By: Gregory Wiercioch	
	Submit Date: 9-11-2018	
	Decision: (G) Grant	
	Decision Date: 9-11-2018	
	ORD that the motion is granted. Petitioner's reply brief shall be served and filed on or before September 28, 2018. As this case is scheduled for oral argument on October 12, 2018, no further time extensions will be granted.	
	See BR3 event due on 9-28-2018	

OCCD SC	08-30-2018	Response Brief-Supreme Court Response Brief-Supreme Court
	Filed By: Kara Mele	

OCCD SC	08-06-2018	Assigned-Oral Argument
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OCCD SC	07-27-2018	Motion to Extend Time
	Filed By: Kara Mele	
	Submit Date: 7-30-2018	
	Decision: (G) Grant	
	Decision Date: 7-30-2018	
	ORD that the motion is granted. The response brief of respondent shall be served and filed on or before August 30, 2018.	
	See BR2 event due on 8-30-2018	

OCCD SC	07-11-2018	First Brief-Supreme Court First Brief-Supreme Court
	Filed By: Gregory Wiercioch	
	Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs. Appx to First Brief-Supreme Court	

OCCD SC	06-22-2018	Attorney Change
	Comment: Added AG Mele, removed Kowski and Potter	

OCCD SC	06-11-2018	Court Changed to Supreme Court
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OCCD SC	04-06-2018	Fee Waived
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OCCD SC	04-05-2018	Petition for Review
	Filed By: Gregory Wiercioch	
	Submit Date: 4-9-2018	
	Decision: (G) Grant	
	Decision Date: 6-11-2018	

ORD petition for review granted. Briefs/statements 30/20/10.

Motion Response

Filed By: Clayton Kawski

Submit Date: 4-9-2018

OCCD CA 03-02-2018 Motion for Reconsideration

Filed By: Gregory Wiercioch

Submit Date: 3-2-2018

Decision: (D) Deny

Decision Date: 3-6-2018

ORD that the motion for reconsideration is denied.

OCCD CA 02-12-2018 Opinion/Decision

Opinion: Memo Opinion

Decision: Supervisory Writ Denied Pages: 3

Order Text: ORD that the petition for a writ of habeas corpus is denied without costs.

OCCD CA 02-01-2018 Petition for Writ of Habeas Corpus

Filed By: Gregory Wiercioch

Submit Date: 7-1-2019

Decision: (D) Deny

Decision Date: 4-1-2022

IT IS ORDERED that the petition for a writ of habeas corpus is denied without costs.

Motion Response

Filed By: Kara Janson

Submit Date: 7-1-2019

Motion Response

Filed By: Gregory Wiercioch

Submit Date: 8-1-2019

Motion Response

Filed By: Kara Janson

Submit Date: 8-3-2021

Motion Response

Filed By: Gregory Wiercioch

Submit Date: 10-4-2021

This motion contains court order(s).

Comment: matter reversed and remanded to court of appeals by SC decision issued 5/29/19; response filed 7/1/19; reply to response filed 7/31/19 per 7/15/19 CTO; circuit court findings pursuant to 8/14/19 CTO due 10/14/19 State's Additional Response State's Supplemental Response

OCCD CA 02-01-2018 Fee Waived

OCCD CA 02-01-2018 Petition for Writ of Habeas Corpus

Filed By: Gregory Wiercioch

Submit Date: 2-2-2018

Decision: (D) Deny

Decision Date: 2-12-2018

ORD that the petition for a writ of habeas corpus is denied without costs.