

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Manuel Garcia

Appeal Number 2018AP002319 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-07-2022		Letter/Correspondence Comment: Letter from U.S. Supreme Court denying Writ. of Cert.
OCCD	SC	01-03-2022		Letter/Correspondence Comment: From US Supreme Court; Letter Advising Writ of Cert. Filed, No. 21-945
OCCD	SC	11-01-2021		Remittitur
OCCD	SC	09-24-2021		Cites 399 Wis. 2d 324
OCCD	SC	09-24-2021		Cites 964 N.W.2d 342
OCCD	SC	09-24-2021		Opinion/Decision Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Per Curiam Decision: Affirmed Pages: 1 Hagedorn, Brian K. Took No Part Order Text: The court of appeals' decision is affirmed by an equally divided court. Brian Hagedorn, J., withdrew from participation. Comment: 9/24/21 Decision
OCCD	SC	09-23-2021		Public Domain Citation Comment: PDC No: 2021 WI 76
OCCD	SC	09-13-2021		Oral Argument Comment: 1st case, 9:45 a.m. in Capitol Hearing Room. John Blimling for Plaintiff-Respondent-Petitioner. Emma J. Jewell for Defendant-Appellant
OCCD	SC	06-18-2021		Briefs Received At State Law Library

OCCD SC	06-15-2021	Assigned-Oral Argument
OCCD SC	04-22-2021	Brief of Amicus Curiae Brief of Amicus Curiae - SPD
	Filed By: Katie York Comment: SPD.	
OCCD SC	04-13-2021	Motion to File Amicus/Non-Party Brief
	Filed By: Katie York Submit Date: 4-13-2021 Decision: (G) Grant Decision Date: 4-16-2021 IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before April 22, 2021. Comment: SPD Motion to File Amicus Brief 4/16/21 CTO	
OCCD SC	04-12-2021	Certificate of Filing by Mail
	Comment: BR3 - mailed 4/12/2021	
OCCD SC	04-12-2021	Reply Brief-Supreme Court BR3 - Reply Brief - Supreme Court
	Filed By: John Blimling	
OCCD SC	03-31-2021	Certificate of Filing by Mail
	Comment: Response brief 22 copies mailed 03-30-2021 (IB).	
OCCD SC	03-31-2021	Response Brief-Supreme Court BR2 - Response Brief - Supreme Court
	Filed By: Emma Jewell	
OCCD SC	02-22-2021	Motion to Extend Time
	Filed By: Emma Jewell Submit Date: 2-22-2021 Decision: (G) Grant Decision Date: 2-25-2021 ORD that the motion is granted. Defendant-appellant shall file his response brief on or before March 30, 2021. See BR2 event due on 3-30-2021 Comment: Motion to Extend Time to file BR2 2/25/21 Court Order	
OCCD SC	02-18-2021	Certificate of Service
	Comment: First Supreme Court Brief mailed via USPS2/18/21 Certificate of Service BR1	
OCCD SC	02-18-2021	First Brief-Supreme Court First Supreme Court Brief
OCCD SC	01-21-2021	Caption Amended

OCCD SC	01-20-2021	Court Changed to Supreme Court
OCCD CA	12-08-2020	Final Publication
OCCD CA	11-19-2020 394 Wis. 2d 743	Cites
OCCD CA	11-19-2020 951 N.W.2d 631	Cites
OCCD CA	11-19-2020 Comment: Opinion Ordered Published	Opinion Ordered Published
OCCD CA	11-19-2020 Comment: PDC No: 2020 WI App 71	Public Domain Citation
OCCD SC	11-05-2020 Comment: State PRE	Fee Waived
OCCD SC	11-05-2020 Comment: Certificate of Filing by Mail re PRE	Certificate of Filing by Mail
OCCD SC	11-05-2020 Filed By: John Blimling Submit Date: 11-23-2020 Decision: (G) Grant Decision Date: 1-20-2021 ORD petition for review granted. Briefs/Statements 30/20/10 Motion Response Filed By: Emma Jewell Submit Date: 11-23-2020 Comment: 1/20/21 Court Order	Petition for Review Petition for Review
OCCD CA	10-07-2020 Judge Panel: Gundrum, Neubauer, Reilly Opinion: Opinion Decision: Reversed and remanded Pages: 15 Written by: Reilly, Paul F. Order Text: Judgment and order reversed and cause remanded. Comment: Opinion/Decision	Opinion/Decision
OCCD CA	08-14-2020 ORD that oral argument will not be rescheduled. Comment: 8/14/20 Court Order	Court Order

OCCD	CA	08-10-2020	Briefs Received At State Law Library
			Comment: Supplemental Briefs
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OCCD	CA	07-27-2020	Certificate of Filing by Mail
			Comment: DEFENDANT-APPELLANT (BOT) 07-24-20
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OCCD	CA	07-27-2020	Other Brief
			Supplemental Brief of Appellant
			Filed By: Emma Jewell
			Comment: Supplemental Brief of Appellant Ack filing of Other Brief & Cover Letter
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OCCD	CA	06-11-2020	Notice of Appearance
			Comment: Attorney Jewell for Appellant per notice of appearance. Notice of Appearance
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OCCD	CA	06-08-2020	Received SPD Appointment Order
			Comment: Emma J. Jewell for Manuel Garcia Received SPD Appointment Order Received SPD Appointment Order
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OCCD	CA	05-26-2020	Certificate of Filing by Mail
			Comment: BOT (Supplemental Brief of Respondent) May 22, 2020
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OCCD	CA	05-26-2020	Other Brief
			Supplemental Brief of Respondent
			Filed By: John Blimling
			Comment: Supplemental Brief of Respondent Ack filing of Supplemental Brief of Respondent, Cvr Ltr & COM
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OCCD	CA	05-01-2020	Motion to Withdraw as Counsel
			Filed By: Russell Bohach
			Submit Date: 5-26-2020
			Decision: (G) Grant
			Decision Date: 6-2-2020
			ORD that Attorney Bohach's motion to withdraw as counsel is granted.
			FRO that within thirty days of the date of this order, the State Public Defender shall appoint successor counsel.
			FRO that Attorney Bohach shall promptly comply with any request from either the State Public Defender or successor counsel to provide case materials to the requester.
			FRO that the appellant's supplemental brief shall be filed no later than July 24, 2020.
			Motion Response
			Filed By: Joseph Ehmann
			Submit Date: 5-26-2020
			Comment: Response from SPD regarding MWC 06-02-20 Order
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OCCD	CA	04-20-2020	Response
			Comment: Filed by Attorney Henak on behalf of WACDL in response to 3/10/20 and 4/2/20 orders, advising they will not be filing an amicus brief. Response filed by Henak Response filed by Atty Henak

OCCD CA 04-03-2020

Response

Comment: from Attorney McKeever advising that WACDL declined court's offer to file an amicus curiae brief per 3/10/20 CTO

OCCD CA 04-01-2020

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 4-1-2020

Decision: (G) Grant

Decision Date: 4-2-2020

ORD that the motion to extend the time to file supplemental briefs is granted. Supplemental briefs shall be filed no later than May 22, 2020.

FRO that no later than May 4, 2020, the Wisconsin Association of Criminal Defense Lawyers shall inform this court and the parties whether it will file an amicus curiae brief. If an amicus curiae brief shall be filed, the brief shall be filed no later than May 22, 2020.

FRO that the oral argument set for May 19, 2020 is canceled and will be rescheduled in a future order of this court.

See BOT event due on 5-22-2020

Comment: and oral argument 04-02-20 Order Motion to Extend Time

OCCD CA 03-10-2020

Court Order

ORD that the parties shall file their supplemental briefs within thirty days of the date of this order.

FRO that Attorney McKeever shall inform this court whether WACDL will file an amicus curiae brief in this appeal within fourteen days of the date of this order.

FRO that if WACDL elects to file an amicus curiae brief in this appeal, the brief will be due May 5, 2020.

FRO that the parties shall appear for oral argument at the date and time specified in this order.

See DAC event filed on 10-2-2020

Comment: 03-10-20 Order

OCCD CA 03-10-2020

Assigned-Oral Argument

OCCD CA 01-22-2020

Submitted on Briefs

OCCD CA 09-20-2019

Briefs Received At State Law Library

OCCD CA 09-05-2019

Record and Briefs Sent to District 2

OCCD CA 09-04-2019

No Brief to Be Filed

Comment: No Reply brief to be filed per Attorney Russell Bohach counsel for Appellant.

OCCD CA 08-20-2019

Brief of Respondent(s)

[Brief of Respondent](#)

Filed By: John Blimling

Comment: Ack Filing of Brief of Respondent & Cover Letter

OCCD CA 07-17-2019

Motion to Extend Time

Filed By: John Blimling

Submit Date: 7-17-2019

Decision: (G) Grant

Decision Date: 7-22-2019

ORD that the time for the respondent to file its respondent's brief is extended to August 21, 2019. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 8-21-2019

Comment: 07-22-19 Order Motion to Extend Time

OCCD CA 07-02-2019

Attorney Change

Comment: AAG Blimling for State per notice of appearance. Notice of Appearance filed by Atty Blimling

OCCD CA 06-20-2019

Sua Sponte

Filed By: Unassigned District 2

Submit Date: 6-20-2019

Decision: (N) No Action

Decision Date: 7-2-2019

No action.

Comment: Accept BAP?

OCCD CA 06-20-2019

Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: Russell Bohach

Comment: Appx to Brief of Appellant(s) Ack filing of Brief of Appellant, Cvr Ltr & COM

OCCD CA 05-28-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 5-28-2019

Decision: (G) Grant

Decision Date: 5-29-2019

ORD that the time for the appellant to file his appellant's brief is extended to June 21, 2019. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 6-21-2019

Comment: 05-29-19 Order Motion to Extend Time

OCCD CA 05-02-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 5-2-2019

Decision: (G) Grant

Decision Date: 5-6-2019

ORD that the time for the appellant to file an appellant's brief is extended to May 31, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).

See BAP event due on 5-31-2019

Comment: 05-06-19 Order Motion to Extend Time

OCCD CA 03-26-2019

Motion to Extend Time

Filed By: Russell Bohach

Submit Date: 3-26-2019

Decision: (G) Grant

Decision Date: 3-27-2019

ORD that the time for the appellant to file an appellant's brief is extended to May 3, 2019. See Wis. Stat.

Rule 809.82(2)(a) (2017-18).
See BAP event due on 5-3-2019
Comment: 03-27-19 Order Motion to Extend Time

OCCD CA 02-20-2019 Motion to Extend Time
Filed By: Russell Bohach
Submit Date: 2-20-2019
Decision: (G) Grant
Decision Date: 2-21-2019
ORD that the time for the appellant to file an appellant's brief is extended to March 26, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).
See BAP event due on 3-26-2019
Comment: 02-21-19 Order Motion to Extend Time

OCCD CA 01-17-2019 Court Order
ORD that the deadline for the trial court to decide the postconviction motion is extended to September 20, 2018.

OCCD CA 01-15-2019 Sealed Documents
Comment: #34

OCCD CA 01-15-2019 Record
Comment: 1-2 to 82-1 ELECTRONICALLY FILED Ack filing of CC Record

OCCD CA 01-09-2019 Received SPD Appointment Order

OCCD CA 01-09-2019 Statement on Transcript
Filed By: Russell Bohach
Status: Not Needed
Comment: Statement on Transcript

OCCD CA 01-03-2019 Delinquent
Comment: New due date of connected SRT: 1-10-2019 Delinquent SRT

OCCD CA 12-07-2018 Notif. Sent-Filing of NAP & Ct. Record
Comment: Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 12-07-2018 Fee Waived
Comment: SPD

OCCD CA 12-07-2018 Notice of Appeal & Circuit Court Docket Entries
Comment: Notice of Appeal & Court Record

OCCD CA 12-07-2018 X Transfer

OCCD CA	12-03-2018	Notice of Appeal filed in Cir. Ct.
Comment: Notice of Appeal filed in circuit court		
OCCD CA	11-16-2018	Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach Submit Date: 11-16-2018 Decision: (G) Grant Decision Date: 11-21-2018 ORD that the time for filing a notice of appeal is extended to December 7 2018. SEE WIS. STAT. RULE 809(2)(a) (2015-16). Comment: 11-21-18 Order MXT to file NAP/PCM		
OCCD CA	09-26-2018	Letter/Correspondence
Comment: From Honorable Piontek to Attorney Bohach regarding postconviction motion filed in circuit court. Hon Piontek to Atty Bohach re: postconviction		
OCCD CA	09-20-2018	Order of Circuit Court
OCCD CA	07-31-2018	Mot. Extend Time to Decide Postconviction Motion
Filed By: Russell Bohach Submit Date: 7-31-2018 Decision: (G) Grant Decision Date: 8-1-2018 ORD that the time for deciding the defendant's postconviction motion is extended to September 13, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). Comment: 08-01-18 Order MXT to Decide Postconviction Motion		
OCCD CA	05-21-2018	Mot. Extend Time to Decide Postconviction Motion
Filed By: Russell Bohach Submit Date: 5-21-2018 Decision: (G) Grant Decision Date: 5-31-2018 ORD that the time for deciding the defendant's postconviction motion is extended to July 31, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). Comment: 05-31-18 Order MXT to Decide Postconviction Motion		
OCCD CA	03-19-2018	Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach Submit Date: 3-19-2018 Decision: (G) Grant Decision Date: 3-22-2018 ORD that the time for filing a notice of appeal or postconviction motion is extended to March 28, 2018. Comment: 03-22-18 Order MXT to file NAP/PCM		
OCCD CA	03-05-2018	Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach Submit Date: 3-5-2018 Decision: (G) Grant Decision Date: 3-7-2018 ORD that the time for filing a notice of appeal or postconviction motion is extended to March 16, 2018.		

OCCD CA 02-19-2018 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 2-19-2018
Decision: (G) Grant
Decision Date: 2-20-2018
ORD that the time for filing a notice of appeal or postconviction motion is extended to March 2, 2018.
See Wis. Stat. Rule 809.82(2)(a).
Comment: 02-20-18 Order MXT to file NAP/PCM

OCCD CA 01-05-2018 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 1-5-2018
Decision: (G) Grant
Decision Date: 1-9-2018
ORD that the time for filing a notice of appeal or postconviction motion is extended to February 16, 2018. See Wis. Stat. Rule 809.82(2)(a).
Comment: 01-09-18 Order MXT to file NAP/PCM

OCCD CA 11-16-2017 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 11-16-2017
Decision: (G) Grant
Decision Date: 11-20-2017
ORD that the time for filing a notice of appeal or postconviction motion is extended to January 5, 2018.
See Wis. Stat. Rule 809.82(2)(a).
Comment: 11-20-17 Order MXT to file NAP/PCM

OCCD CA 09-29-2017 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 9-29-2017
Decision: (G) Grant
Decision Date: 10-3-2017
ORD that the time for filing a notice of appeal or postconviction motion is extended to 11/17/17. See Wis. Stat. Rule 809.82(2)(a).
Comment: 10-03-17 Order MXT to file NAP/PCM

OCCD CA 08-01-2017 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 8-1-2017
Decision: (G) Grant
Decision Date: 8-2-2017
ORD that the time for filing a notice of appeal or postconviction motion is extended to September 29, 2017. See Wis. Stat. Rule 809.82(2)(a).
Comment: 08-02-17 Order MXT to file NAP/PCM

OCCD CA 06-23-2017 Mot. Extend Time to file NAP/PCM
Filed By: Russell Bohach
Submit Date: 6-26-2017

Decision: (G) Grant

Decision Date: 6-27-2017

ORD that the time for filing a notice of appeal or postconviction motion is extended to August 4, 2017.

See Wis. Stat. Rule 809.82(2)(a).

Comment: 06-27-17 Order MXT to file NAP/PCM

OCCD CA 10-07-2014

Judgment of Circuit Court
