

Wisconsin Supreme Court and Court of Appeals Case Access

State v. K. K. E.

Appeal Number 2019AP000115

CONFIDENTIAL

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	01-14-2020		Remittitur
OCCD	CA	11-04-2019		Letter/Correspondence Comment: Letter response to PRE filed by the State; 11/6/19 rcvd. copy of ltr. via first class mail
OCCD	CA	10-30-2019		Cites 936 N.W.2d 408
OCCD	CA	10-30-2019		Cites 389 Wis. 2d 105
OCCD	CA	10-30-2019		Opinion Ordered Unpublished
OCCD	CA	10-16-2019		Fee Waived Comment: SPD
OCCD	SC	10-16-2019		Petition for Review Filed By: Steven Zaleski Submit Date: 10-30-2019 Decision: (D) Deny Decision Date: 1-14-2020 ORD that the petition for review is denied, without costs. Comment: No Merit, statement in support due 10/24/19
OCCD	CA	09-24-2019		Opinion/Decision Judge Panel: Dugan Opinion: Opinion Decision: Affirmed Pages: 19 Order Text: Orders affirmed
OCCD	CA	08-27-2019		No Brief to Be Filed

Comment: Reply Brief No Reply Brief to Be Filed

OCCD CA	08-23-2019	Briefs Received At State Law Library
OCCD CA	08-15-2019 Comment: Respondent/GAL	Briefs Sent to District
OCCD CA	08-15-2019 Comment: Re: BGL briefs; Rcvd 10 copies of briefs, mailed, 08-13-2019.	Certificate of Filing by Mail
OCCD CA	08-15-2019 Filed By: Kelsey B	Brief of Guardian ad Litem
OCCD CA	08-15-2019 Comment: Re: Response Briefs; Rcvd 10 copies of briefs, mailed, 08-14-2019.	Certificate of Filing by Mail
OCCD CA	08-15-2019 Filed By: Meghan Lindberg Comment: Please refer to 809.19(1)(h) regarding the conclusion requirements. Please refer to 809.19 (8)(d) regarding the form and length certification requirements.	Brief of Respondent(s)
OCCD CA	08-13-2019	Briefs Received At State Law Library
OCCD CA	07-29-2019	Record and Briefs Sent to District 1
OCCD CA	07-29-2019 Filed By: Steven Zaleski Comment: Please note the caption has been changed. Please use the above caption on all future briefs. Appx to Brief of Appellant(s)	Brief & Appx of Appellant(s)
OCCD CA	07-12-2019 Comment: [2019AP000115, 2019AP000116, 2019AP000117]	Consolidated Case
OCCD CA	07-12-2019	Hold Status
OCCD CA	07-08-2019 Filed By: Unassigned District 1 Submit Date: 7-8-2019 Decision: (O) Other Decision Date: 7-12-2019 ORD that the hold previously imposed in these matters is lifted and these appeals may continue. FRO that the motion to withdraw filed by Attorney Zaleski is denied. Attorney Zaleski shall continue as appellant counsel for K.K.E. FRO that these appeals are consolidated for further proceedings, including briefing and disposition. See	Sua Sponte

id.

FRO that the deadline for Attorney Zaleski to file an opening brief and appendix or a motion to remand on behalf of K.K.E. in these consolidated matters is extended through July 29, 2019. See Wis. Stat. Rule 809.82(2)(a).

FRO that if any party believes that these appeals should be severed for further proceedings, the party may so move, for good cause shown, on or before July 23, 2019.

OCCD	CA	07-08-2019	Attorney Change
Comment: per notice of appearance withdrew ADA Claire Starling, added ADA Meghan Lindberg as counsel for the State			

OCCD	CA	06-14-2019	Court Order
ORD that by June 28, 2019, K.K.E. shall respond to this court in the matter described in the court's May 13, 2019 order. If K.K.E. does not respond, or if her response is inadequate, Attorney Zalski shall continue as K.K.E.'s appointed counsel. See MWC event filed on 4-18-2019			

OCCD	CA	05-13-2019	Court Order
IT IS ORDERED that by June 3, 2019, K.K.E. shall write a letter to this court in the manner described in this order, stating whether she wishes Zaleski to withdraw and whether she wishes to proceed pro se. If K.K.E. does not respond, or if her response is inadequate to address this courts concerns, Zaleski shall continue as appointed appellate counsel for K.K.E. IT IS FURTHER ORDERED that Attorney Hayess response is accepted as filed. IT IS FURTHER ORDERED that the public defenders response is accepted as filed. IT IS FURTHER ORDERED that the hold previously imposed in these matters continues. See MWC event filed on 4-18-2019			

OCCD	CA	05-01-2019	Court Order
IT IS ORDERED that, no later than May 9, 2019, the state public defender shall respond to Attorney Zaleski's motion to withdraw. See MWC event filed on 4-18-2019			

OCCD	CA	04-26-2019	Other Papers
Comment: Atty. Hayes provides response to 4/19/19 CTO			

OCCD	CA	04-23-2019	Certificate of Service
Comment: Atty. Zaleski advises motion to withdraw was delivered to SPD on 4/23/19			

OCCD	CA	04-19-2019	Court Order
IT IS ORDERED that these matters are held in abeyance until further order of this court. IT IS FURTHER ORDERED that, no later than April 24, 2019, Attorney Zaleski shall file a document in this court certifying that he served the state public defender with his motion to withdraw and stating the date of service. See id. IT IS FURTHER ORDERED that, no later than April 24, 2019, Attorney Hayes shall file and serve a document as described above. See MWC event filed on 4-18-2019			

OCCD	CA	04-18-2019 06-28-2019	Motion to Withdraw as Counsel
Filed By: Steven Zaleski			

Submit Date: 4-18-2019

Decision: (D) Deny

Decision Date: 7-12-2019

ORD that the hold previously imposed in these matters is lifted and these appeals may continue.

FRO that the motion to withdraw filed by Attorney Zaleski is denied. Attorney Zaleski shall continue as appellant counsel for K.K.E.

FRO that these appeals are consolidated for further proceedings, including briefing and disposition. See id.

FRO that the deadline for Attorney Zaleski to file an opening brief and appendix or a motion to remand on behalf of K.K.E. in these consolidated matters is extended through July 29, 2019. See Wis. Stat. Rule 809.82(2)(a).

FRO that if any party believes that these appeals should be severed for further proceedings, the party may so move, for good cause shown, on or before July 23, 2019.

This motion contains court order(s).

OCCD CA 04-11-2019

Motion to Extend Time

Filed By: Steven Zaleski

Submit Date: 4-11-2019

Decision: (G) Grant

Decision Date: 4-12-2019

ORD that the deadline for K.K.E. to file either an opening brief and appendix or a motion to remand these matters to the circuit court is extended through May 10, 2019. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 5-10-2019

Comment: or motion for remand

OCCD CA 03-12-2019

Received SPD Appointment Order

Comment: for Atty. Steven Zaleski

OCCD CA 03-12-2019

Response

Comment: per 2/26/19 CTO - SPD to appt. successor counsel

OCCD CA 02-18-2019

Motion to Withdraw as Counsel

Filed By: Theresa Schmieder

Submit Date: 2-18-2019

Decision: (G) Grant

Decision Date: 2-26-2019

IT IS ORDERED that Attorney Schmieder is permitted to withdraw from these cases, and is hereby relieved of the responsibility for further representation of K.K.E.

IT IS FURTHER ORDERED that, no later than March 20, 2019, the State Public Defender shall appoint successor counsel for K.K.E.

IT IS FURTHER ORDERED that successor counsel for K.K.E. shall advise this court within five days after his or her appointment in these matters.

IT IS FURTHER ORDERED that the deadline for successor counsel to file either an appellate brief or a motion to remand for fact finding is extended through the date thirty days after appointment.

IT IS FURTHER ORDERED that the State Public Defender shall provide a copy of this order to successor counsel.

IT IS FURTHER ORDERED that the State Public Defenders response of February 22, 2019 is accepted as filed.

AMENDED FEBRAURY 27, 2019, AS TO PUBLIC DEFENDER'S DEADLINE

Motion Response

Filed By: Joseph E

Submit Date: 2-22-2019

Comment: and modify subsequent deadlines

OCCD CA	02-11-2019	Motion for Miscellaneous Relief
Filed By: Theresa Schmieder Submit Date: 2-11-2019 Decision: (G) Grant Decision Date: 2-13-2019 ORD that the deadline for K.K.E. to file an appellate brief or a motion to remand for fact-finding in each of these matters is extended through February 18, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18). Comment: ext. time to file motion for remand		
OCCD CA	01-25-2019	Record
Comment: 1-22 to 120-1, ELECTRONICALLY FILED		
OCCD CA	01-23-2019	Statement on Transcript
Filed By: Theresa Schmieder Status: Prev. Filed		
OCCD CA	01-14-2019	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	01-14-2019	Fee Waived
Comment: SPD appointed in circuit court		
OCCD CA	01-14-2019	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	01-14-2019	X Transfer
OCCD CA	01-10-2019	Notice of Appeal filed in Cir. Ct.
OCCD CA	12-04-2018	Mot. Extend Time to file NAP/Postdisposition mot.
Filed By: Theresa Schmieder Submit Date: 12-4-2018 Decision: (G) Grant Decision Date: 12-11-2018 IT IS ORDERED that the time for filing a notice of appeal is extended to January 10, 2019. See WIS. STAT. RULE 809.82(2)(a) (2015-16). IT IS FURTHER ORDERED that court reporter Shelley Bertermann shall file the transcripts ordered from her pertaining to these matters no later than December 27, 2018. Sanctions may be imposed if she does not comply with this order. See WIS. STAT. RULE 809.11(4) (2015-16). Comment: 3		
OCCD CA	11-08-2018	Mot. Extend Time to file NAP/Postdisposition mot.
Filed By: Theresa Schmieder Submit Date: 11-8-2018 Decision: (G) Grant Decision Date: 11-13-2018 IT IS ORDERED that the deadline for K.K.E. to file a notice of appeal in these matters is extended to December 3, 2018. Comment: 2		

OCCD CA	09-24-2018	Mot. Extend Time to file NAP/Postdisposition mot.
Filed By: Theresa Schmieder Submit Date: 9-24-2018 Decision: (G) Grant Decision Date: 10-1-2018 IT IS ORDERED that the deadline for filing a notice of appeal is extended until November 7, 2018.		

OCCD CA	02-28-2018	Order of Circuit Court
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