

# Wisconsin Supreme Court and Court of Appeals Case Access

## State v. Ryan Hugh Mulhern

### Appeal Number 2019AP001565 - CR

Supreme Court

#### CASE HISTORY

| Status | Court | Filing Date   | Anticipated Due Date | Activity                             |
|--------|-------|---|----------------------|--------------------------------------|
| OCCD   | SC    | 07-22-2022  |                      | Remittitur                           |
| OCCD   | SC    | 06-21-2022  |                      | Published Opinion Citation           |
|        |       | 402 Wis. 2d 64  |                      |                                      |
| OCCD   | SC    | 06-21-2022  |                      | Published Opinion Citation           |
|        |       | 975 N.W.2d 209  |                      |                                      |
| OCCD   | SC    | 06-21-2022  |                      | <a href="#">Opinion/Decision</a>     |
|        |       | Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky<br>Opinion: Opinion<br>Decision: Reversed Pages: 26<br>Written by: Roggensack, Patience Drake<br>Ziegler, Annette K. Wrote Concurring Opinion 18 pages.<br>Bradley, Rebecca Grassl Joined Concurring Opinion<br>Order Text: The decision of the court of appeals is reversed.<br>Comment: Opinion/Decision - Supreme Court |                      |                                      |
| OCCD   | SC    | 06-20-2022  |                      | Public Domain Citation               |
|        |       | Comment: PDC No: 2022 WI 42   |                      |                                      |
| OCCD   | SC    | 03-09-2022  |                      | Oral Argument                        |
|        |       | Comment: at 9:45, first case (in the Capitol Hearing Room). Sarah Burgundy for Plaintiff-Respondent-Petitioner. Dennis Schertz for Defendant-Appellant.   |                      |                                      |
| OCCD   | SC    | 02-01-2022  |                      | Letter/Correspondence                |
|        |       | Comment: From AAG Falk re: co-counsel for State   |                      |                                      |
| OCCD   | SC    | 01-27-2022  |                      | Briefs Received At State Law Library |
| OCCD   | SC    | 01-20-2022  |                      | Assigned for Oral Argument           |

OCCD SC 12-15-2021 Letter/Correspondence  
Comment: Letter from AAG Burgundy in response to cto 11/11/21

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OCCD SC 11-11-2021 Motion for Miscellaneous Relief  
Filed By: Sarah Burgundy  
Submit Date: 11-11-2021  
Decision: (G) Grant  
Decision Date: 11-11-2021  
IT IS ORDERED that the motion is granted, in part. The appeal is hereby removed from the court's November 2021 oral argument calendar; and,  
IT IS FURTHER ORDERED that, no later than December 15, 2021, plaintiff-respondent-petitioner, State of Wisconsin, shall provide the court with a written status update regarding representation in this matter; and  
IT IS FURTHER ORDERED that the court will, in due course, assign this case to a date on the court's remaining 2021-2022 oral argument schedule.

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OCCD SC 08-24-2021 Assigned for Oral Argument

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OCCD SC 05-26-2021 Letter/Correspondence  
Comment: Letter from Atty Schertz re: possible OA scheduling conflicts

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OCCD SC 04-27-2021 Reply Brief-Supreme Court  
[Reply Brief - Supreme Court](#)  
Filed By: Sarah Burgundy

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OCCD SC 04-09-2021 Motion to Extend Time  
Filed By: Sarah Burgundy  
Submit Date: 4-12-2021  
Decision: (G) Grant  
Decision Date: 4-20-2021  
IT IS ORDERED that the motion is granted. Plaintiff-respondent-petitioner shall serve and file its reply brief on or before April 28, 2021.  
See BR3 event due on 4-28-2021

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OCCD SC 03-31-2021 Response Brief-Supreme Court  
[Response Brief-Supreme Court](#)  
Filed By: Dennis Schertz  
Comment: Brief accepted, appendix rejected, see RED of 3/31/21

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OCCD SC 03-22-2021 Motion to Extend Time  
Filed By: Dennis Schertz  
Submit Date: 3-22-2021  
Decision: (G) Grant  
Decision Date: 3-23-2021  
IT IS ORDERED that the motion is granted. Defendant-appellant shall serve and file his response brief on or before March 29, 2021.  
See BR2 event due on 3-29-2021

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OCCD SC 03-01-2021 First Brief-Supreme Court

Filed By: Sarah Burgundy

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OCCD SC 02-26-2021

Motion to Extend Time

Filed By: Sarah Burgundy

Submit Date: 3-1-2021

Decision: (G) Grant

Decision Date: 3-2-2021

IT IS ORDERED that the motion is granted and the brief is accepted for filing.

See BR1 event filed on 3-1-2021

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OCCD SC 02-12-2021

Motion to Extend Time

Filed By: Sarah Burgundy

Submit Date: 2-15-2021

Decision: (G) Grant

Decision Date: 2-15-2021

IT IS ORDERED that the motion is granted. Plaintiff-respondent-petitioner's opening brief shall be served and filed on or before February 26, 2021.

See BR1 event due on 2-26-2021

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OCCD SC 01-20-2021

Caption Amended

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OCCD SC 01-20-2021

Court Changed to Supreme Court

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OCCD CA 11-19-2020

Published Opinion Citation

953 N.W.2d 102

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OCCD CA 11-19-2020

Published Opinion Citation

394 Wis. 2d 839

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OCCD CA 11-19-2020

Opinion Ordered Unpublished

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OCCD SC 11-03-2020

Fee Waived

Comment: Filed by State

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OCCD SC 11-03-2020

Petition for Review

[Petition for Review](#)

Filed By: Sarah Burgundy

Submit Date: 11-17-2020

Decision: (G) Grant

Decision Date: 1-20-2021

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the plaintiff-respondent-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the plaintiff-respondent-petitioner must file a brief in this court; that within 20 days of filing the defendant-appellant, Ryan Hugh Mulhern, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the defendant-appellant, within 10 days of filing the

plaintiff-respondent-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting

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| OCCD CA   | 10-06-2020 | <a href="#">Opinion/Decision</a> |
| Judge Panel: Stark, Hruz, Seidl   |            |                                  |
| Opinion: Per Curiam   |            |                                  |
| Decision: Reversed and remanded Pages: 12                                 |            |                                  |
| Order Text: Judgments reversed and cause remanded for further proceedings |            |                                  |

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| OCCD CA | 06-23-2020 | Submitted on Briefs |
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| OCCD CA | 02-26-2020 | Briefs Received At State Law Library |
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| OCCD CA | 02-07-2020 | Record and Briefs Sent to District 3 |
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| OCCD CA                  | 02-07-2020 | Reply Brief<br><a href="#">Reply Brief</a> |
| Filed By: Dennis Schertz |            |  |

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| OCCD CA                  | 01-16-2020 | Brief of Respondent(s)<br><a href="#">Brief of Respondent</a> |
| Filed By: Sarah Burgundy |            |   |

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| OCCD CA   | 12-06-2019 | Motion to Extend Time |
| Filed By: Sarah Burgundy  |            |                       |
| Submit Date: 12-9-2019  |            |                       |
| Decision: (G) Grant   |            |                       |
| Decision Date: 12-10-2019   |            |                       |
| ORD that the time to file the State's brief is extended to 1/16/20. |            |                       |
| See BRS event filed on 1-16-2020                                    |            |                       |

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| OCCD CA  | 11-21-2019 | Attorney Change |
| Comment: AAG Sarah L. Burgundy added as counsel for State per letter |            |                 |

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| OCCD CA   | 11-15-2019 | Letter/Correspondence |
| Comment: From AAG Collins, confirming receipt of appellant's brief, State's brief will be filed by 12/9/19. |            |                       |

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OCCD CA 11-14-2019 Affidavit of No Service filed  
Comment: Filed by AAG Collins re: non-receipt of appellant's brief. Affidavit of No Service filed

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OCCD CA 11-06-2019 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Dennis Schertz

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OCCD CA 11-04-2019 Motion to Extend Time  
Filed By: Dennis Schertz  
Submit Date: 11-5-2019  
Decision: (G) Grant  
Decision Date: 11-5-2019  
ORD court grants extension to 11/7/19.  
See BAP event filed on 11-6-2019

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OCCD CA 09-25-2019 Sealed Documents  
Comment: #46,#54

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OCCD CA 09-25-2019 Record  
Comment: 1-17 to 91-1 ELECTRONICALLY FILED

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OCCD CA 09-13-2019 Letter/Correspondence  
Comment: CRS - copies of transcripts previously filed provided to attorneys of record. CR Carlson.  
Notice of Reporter re Filing of Transcript

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OCCD CA 08-26-2019 Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 08-26-2019 Fee Waived

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OCCD CA 08-26-2019 Notice of Appeal & Circuit Court Docket Entries

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OCCD CA 08-26-2019 X Transfer

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OCCD CA 08-21-2019 State Public Defender Order Appointing Counsel

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OCCD CA 08-21-2019 Statement on Transcript  
Filed By: Dennis Schertz  
Status: Prev. Filed

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OCCD CA 08-19-2019 Notice of Appeal filed in Circuit Court

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OCCD CA 05-09-2019 Mot. Extend Time to appoint counsel & order trans.  
Filed By: Joseph Ehmann  
Submit Date: 5-10-2019  
Decision: (G) Grant

WSCCA Case History

Decision Date: 5-10-2019

ORD that the deadline for the state public defender to appoint postconviction counsel and to order transcripts is extended through April 17, 2019.

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OCCD CA 10-26-2018

Judgment of Circuit Court

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