

Wisconsin Supreme Court and Court of Appeals Case Access

State v. D. S.

Appeal Number 2019AP002230

CONFIDENTIAL

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	10-23-2020		Remittitur
		Comment: Remittitur		
OCCD	CA	09-30-2020		Cites
		394 Wis. 2d 188		
OCCD	CA	09-30-2020		Cites
		949 N.W.2d 890		
OCCD	CA	09-30-2020		Opinion Ordered Unpublished
OCCD	CA	08-25-2020		Opinion/Decision
		Judge Panel: Brash Opinion: Opinion Decision: Affirmed Pages: 13 Order Text: Orders affirmed Comment: Opinion		
OCCD	CA	08-19-2020		Briefs Received At State Law Library
		Comment: Reply Brief		
OCCD	CA	08-17-2020		Letter/Correspondence
		Comment: Ret Mail from Atty. Miller (BRY filing ack. ltr.) - not at address; 8-24-20, updated sa & resent		
OCCD	CA	08-06-2020		Briefs Sent to District
		Comment: Reply Brief		
OCCD	CA	08-04-2020		Certificate of Service
		Comment: RE: Reply Brief, Mailed 8-3-2020, Copies (10). Certificate of Service (BRY)		

OCCD CA	08-04-2020	Reply Brief
	Filed By: Gregory Bates	
	Comment: Reply Brief Filing Notice & Cvr Ltr	
OCCD CA	07-31-2020	Briefs Received At State Law Library
OCCD CA	07-29-2020	Briefs Sent to District
OCCD CA	07-29-2020	Certificate of Filing by Mail
	Comment: RE: Respondent's Brief, Mailed 7-24-2020,	
OCCD CA	07-29-2020	Brief of Respondent(s)
	Filed By: Danielle Chojnacki	
OCCD CA	07-27-2020	Briefs Received At State Law Library
OCCD CA	07-14-2020	Record and Briefs Sent to District 1
OCCD CA	07-10-2020	Certificate of Service
	Comment: RE: Appellant-Respondent's Brief and Appendix	
OCCD CA	07-10-2020	Brief & Appx of Appellant(s)
	Filed By: Gregory Bates	
	Comment: Confidentiality breach corrected in Appendix. Brief & Appx of Appellant Filing Notice	
OCCD CA	07-03-2020	Notice of Appearance
	Comment: ADA Chojnacki appears for State replacing Atty. Lindberg Notice of Appearance - ADA Chojnacki	
OCCD CA	06-19-2020	Record
	Comment: REFILE: 1-16 to 103-1	
OCCD CA	06-19-2020	Court Reporter's Statement-Trans.
	Court Reporter Name: (Roberts, Erin)	
	Comment: CRS NOT FILED - 5/14/20 transcript in record (R-106)	
OCCD CA	05-20-2020	Statement on Transcript
	Filed By: Gregory Bates	
	Status: Ordered	
OCCD CA	03-13-2020	Record Remanded to Circuit Court

OCCD CA 03-11-2020

Motion for Remand

Filed By: Gregory Bates

Submit Date: 3-11-2020

Decision: (O) Other

Decision Date: 3-13-2020

ORD that these appeals are remanded forthwith to the circuit court to permit D.S. to pursue a postdisposition motion. This court retains jurisdiction over the appeals during the remand period.

FRO that any postdisposition motion shall be filed within 10 days of the date of this order.

FRO that the circuit court shall conduct any necessary proceedings and enter an order containing its findings and conclusions resolving the postdisposition motion within 60 days of the date of this order.

FRO that a transcript shall be ordered within 3 days after the hearing, if appellate counsel deems a transcript of the postdisposition proceedings necessary for appeal, and any such transcript shall be served and filed within 20 days of the date it is ordered. Counsel for the appellant shall provide the court reporter with a copy of this order.

FRO that a statement on transcript shall be filed by appellate counsel within 5 days of the date of the hearing, reflecting either that a postdisposition transcript has been ordered or that such a transcript is not necessary for this appeal. The statement shall be filed with the clerk of this court, and a copy shall be filed with the clerk of the circuit court. See Wis. Stat. Rule 809.107(5)(d).

FRO that the clerk of circuit court shall retransmit the records to this court within 10 days of the later of the entry of the circuit court order resolving the postdisposition motion or the filing of the transcript of the postdisposition hearing if such transcript is ordered. The records shall include documents, including transcripts, filed pursuant to this remand, and the circuit court's order resolving the postdisposition motion. See Wis. Stat. 809.075(7).

FRO that the appellant shall file a brief presenting all grounds for relief no later than fifteen days after the records are retransmitted to this court. See Wis. Stat. Rule 8

OCCD CA 02-11-2020

No Merit Rejected

OCCD CA 02-11-2020

Opinion/Decision

Judge Panel: Dugan

Opinion: Summary Disposition

Decision: No Merit Rejected, Appeal Cont. w/ Atty Pages: 6

Order Text: IT IS ORDERED that the no-merit report is rejected and these matters are converted to appeals on the merits.

IT IS FURTHER ORDERED that these matters are referred to the Office of the State Public Defender for the possible appointment of new counsel, any such appointment to be made within fifteen days.

IT IS FURTHER ORDERED that the State Public Defenders Office shall notify this court within five days after either a new lawyer is appointed for D.S. or the State Public Defender determines that new counsel will not be appointed.

IT IS FURTHER ORDERED that the deadline under WIS. STAT. RULE 809.107 (6)(a)-(am) for D.S. to file either an appellate brief and appendix or a motion to remand this matter to the circuit court for fact-finding is extended until thirty days after the date on which this court receives notice from the State Public Defenders office advising either that the State Public Defender has appointed new counsel for D.S. or that new counsel will not be appointed.

OCCD CA 02-11-2020

Response

Comment: per 2/5/20 CTO - SPD to advise if new lawyer will be appointed

OCCD CA 02-05-2020

Response to No Merit Not Filed

OCCD CA 12-27-2019

No Merit Submitted

WSCCA Case History

OCCD CA	12-27-2019	No Merit Report
Filed By: Gregory Bates		
OCCD CA	12-06-2019	Court Order
ORD that the time to file the notices of appeal is extended to November 20, 2019.		
OCCD CA	12-06-2019	Non-Electronic Record Item
OCCD CA	12-04-2019	Record
Comment: 1-16 to 95-1, ELECTRONICALLY FILED		
OCCD CA	12-03-2019	Consolidated Case
Comment: [2019AP002230, 2019AP002231, 2019AP002232, 2019AP002233]		
OCCD CA	11-29-2019	Motion to Consolidate
Filed By: Gregory Bates		
Submit Date: 12-2-2019		
Decision: (G) Grant		
Decision Date: 12-3-2019		
IT IS ORDERED that appeal Nos. 2019AP2230-NM, 2019AP2231-NM, 2019AP2232-NM and 2019AP2233-NM are consolidated for briefing and disposition purposes. See Wis. Stat. Rule 809.10(3) (2017-18).		
Comment: [2019AP002230, 2019AP002231, 2019AP002232, 2019AP002233]		
OCCD CA	11-27-2019	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	11-27-2019	Termination of Parental Rights
OCCD CA	11-27-2019	Fee Waived
Comment: SPD		
OCCD CA	11-27-2019	Statement on Transcript
Filed By: Gregory Bates		
Status: Prev. Filed		
OCCD CA	11-27-2019	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	11-22-2019	Received SPD Appointment Order
OCCD CA	11-20-2019	Notice of Appeal filed in Cir. Ct.
OCCD CA	07-29-2019	Order of Circuit Court