

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Tomas Jaymitchell Hoyle

Appeal Number 2020AP001876 - CR

Court of Appeals District 3

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
RECV	SC	02-19-2024		Petition for Review Response to Petition for Review Petition for Review
Filed By: Thomas Aquino Submit Date: 3-19-2024 Motion Response Filed By: Jennifer Vandermeuse Submit Date: 3-19-2024				
OCCD	SC	02-28-2024		Motion for Miscellaneous Relief
Filed By: Jennifer Vandermeuse Submit Date: 2-28-2024 Decision: (G) Grant Decision Date: 3-1-2024 IT IS ORDERED that the motion is granted. Plaintiff-respondent's response shall be served and filed on or before March 19, 2024. Comment: MXT/Response to Petition for Review				
OCCD	SC	02-19-2024		Fee Waived
Comment: Filed by SPD				
OCCD	CA	01-18-2024		Opinion/Decision
Judge Panel: Stark, Hruz, Gill Opinion: Per Curiam Decision: Affirmed Pages: 20 Order Text: Judgment and order affirmed				
OCCD	CA	11-20-2023		Submitted on Briefs
OCCD	CA	09-19-2023		Briefs Sent to District
Comment: Supplemental Reply Brief				
OCCD	CA	09-18-2023		Other Brief Supplemental Reply Brief

Filed By: Thomas Aquino

Comment: Supplemental Reply Brief

OCCD CA 09-18-2023 Hold Status

OCCD CA 08-31-2023 Briefs Sent to District

Comment: Supplemental Briefs of Appellant & Respondent

OCCD CA 08-30-2023 Other Brief

[Supplemental Brief of Respondent](#)

Filed By: Jennifer Vandermeuse

Comment: Supplemental Brief of Respondent

OCCD CA 08-21-2023 Motion to Extend Time

Filed By: Jennifer Vandermeuse

Submit Date: 8-21-2023

Decision: (G) Grant

Decision Date: 8-22-2023

IT IS ORDERED that the time for the State to file its supplemental brief is extended to August 30, 2023.

See BOT event due on 8-30-2023

Comment: 2nd request

OCCD CA 07-17-2023 Motion to Extend Time

Filed By: Jennifer Vandermeuse

Submit Date: 7-17-2023

Decision: (G) Grant

Decision Date: 7-18-2023

IT IS ORDERED that the time for filing the respondent's supplemental brief is extended to August 25, 2023.

See BOT event due on 8-25-2023

OCCD CA 06-26-2023 Other Brief

[Supplemental Brief of Appellant](#)

Filed By: Thomas Aquino

Comment: Supplemental Brief of Appellant

OCCD CA 05-24-2023 Motion for Miscellaneous Relief

Filed By: Thomas Aquino

Submit Date: 5-24-2023

Decision: (O) Other

Decision Date: 5-26-2023

IT IS ORDERED that the motion for supplemental briefing, as discussed above, is granted. The appellant's supplemental brief is due thirty days from the date of this order.

IT IS FURTHER ORDERED that the respondent's supplemental brief is due thirty days from the date the appellant's supplemental brief is filed.

IT IS FURTHER ORDERED that the appellant's supplemental reply brief is due fifteen days from the date the State's supplemental brief is filed.

IT IS FURTHER ORDERED that this appeal is on hold pending completion of supplemental briefing.
Comment: Motion to Set Supplemental Briefing Schedule

OCCD SC 04-04-2023 Motion for Clarification
Filed By: Thomas Aquino
Submit Date: 4-5-2023
Decision: (G) Grant
Decision Date: 4-6-2023
IT IS ORDERED that the motion is granted. The mandate of the March 31, 2023 decision is amended to provide that this matter shall be remanded to the court of appeals for their consideration of unresolved issues which were properly raised by Hoyle on appeal.
Comment: Motion to Clarify and Amend Mandate

OCCD SC 03-31-2023 Cites
987 N.W.2d 732

OCCD SC 03-31-2023 Cites
406 Wis. 2d 373

OCCD SC 03-31-2023 Court Changed to Court of Appeals

OCCD SC 03-31-2023 Remanded from WI Supreme Court

OCCD SC 03-31-2023 [Opinion/Decision](#)
Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky
Opinion: Opinion
Decision: Remanded to Court of Appeals Pages: 27
Written by: Ziegler, Annette K.
Hagedorn, Brian K. Wrote Concurring Opinion 25 pages.
Bradley, Rebecca Grassl Joined Concurring Opinion
Dallet, Rebecca F. Wrote Dissenting Opinion 17 pages.
Bradley, Ann Walsh Joined Dissenting Opinion
Order Text: The decision of the court of appeals is reversed and remanded.

OCCD SC 03-30-2023 Public Domain Citation
Comment: PDC No: 2023 WI 24

OCCD SC 12-13-2022 Oral Argument
Comment: 1st case, 9:45 a.m. (State Capitol SC Hearing Room). Jennifer L. Vandermeuse for Plaintiff-Respondent-Petitioner. Thomas B. Aquino for Defendant-Appellant.

OCCD SC 11-29-2022 Reply Brief-Supreme Court
[Reply Brief-Supreme Court](#)
Filed By: Jennifer Vandermeuse

OCCD SC 11-14-2022 Response Brief-Supreme Court
[Response Brief-Supreme Court](#)

OCCD SC	10-25-2022	First Brief-Supreme Court First Brief-Supreme Court
Filed By: Jennifer Vandermeuse		

OCCD SC	10-20-2022	Assigned-Oral Argument
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OCCD SC	10-06-2022	Motion to Extend Time
Filed By: Jennifer Vandermeuse		
Submit Date: 10-6-2022		
Decision: (G) Grant		
Decision Date: 10-7-2022		
IT IS ORDERED that the motion is granted. Plaintiff-respondent-petitioner's first brief shall be served and filed on or before October 25, 2022.		
See BR1 event due on 10-25-2022		

OCCD SC	09-14-2022	Caption Amended
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OCCD SC	09-14-2022	Court Changed to Supreme Court
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OCCD CA	05-25-2022	Cites
402 Wis. 2d 308		

OCCD CA	05-25-2022	Cites
974 N.W.2d 893		

OCCD CA	05-25-2022	Opinion Ordered Unpublished
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OCCD SC	05-10-2022	Fee Waived
Comment: Filed by State		

OCCD SC	05-10-2022	Petition for Review Response to Petition for Review Petition for Review
Filed By: Jennifer Vandermeuse		
Submit Date: 6-1-2022		
Decision: (G) Grant		
Decision Date: 9-14-2022		
ORD petition for review granted. Briefs due 30/20/10.		
Motion Response		
Filed By: Thomas Aquino		
Submit Date: 6-1-2022		
Comment: response due 5/30/22 (per cto 5/16/22)		

OCCD CA	04-26-2022	Opinion/Decision
Judge Panel: Stark, Hruz, Gill		

Opinion: Opinion
Decision: Reversed and remanded Pages: 10
Written by: Gill, Gregory B. Jr.
Order Text: Judgment and order reversed and cause remanded for further proceedings.

OCCD CA 03-09-2022 Decision Withdrawn/Vacated

OCCD CA 03-09-2022 Court Order
IT IS ORDERED that the opinion of January 11, 2022 is withdrawn. A revised opinion will be forthcoming.
IT IS FURTHER ORDERED that this case is removed from the March 30, 2022 publication conference agenda.

OCCD SC 02-10-2022 Fee Waived
Comment: Filed by State

OCCD SC 02-10-2022 Petition for Review
[Response to Petition for Review](#)
[Petition for Review](#)

Filed By: Jennifer Vandermeuse
Submit Date: 2-25-2022
Decision: (M) Dismiss
Decision Date: 5-16-2022
IT IS ORDERED that the petition filed February 10, 2022, by plaintiff-respondent, State of Wisconsin, and the response filed February 24, 2022, by defendant-appellant, Tomas Jaymitchell Hoyle, are dismissed, without prejudice;
IT IS FURTHER ORDERED that the petition for review submitted May 10, 2022, by plaintiff-respondent, State of Wisconsin is accepted as filed. Defendant-appellant, Tomas Jaymitchell Hoyle, shall have until May 30, 2022 to file a response to the petition or a letter indicating no formal response will be filed.
Motion Response
Filed By: Thomas Aquino
Submit Date: 2-25-2022

OCCD CA 01-11-2022 [Opinion/Decision](#)
Judge Panel: Stark, Hruz, Gill
Opinion: Opinion
Decision: Reversed and remanded Pages: 10
Written by: Gill, Gregory B. Jr.
Order Text: Judgment and order reversed and cause remanded for further proceedings

OCCD CA 09-29-2021 Submitted on Briefs

OCCD CA 06-28-2021 Record and Briefs Sent to District 3

OCCD CA 06-25-2021 Reply Brief
[Reply Brief of Defendant-Appellant](#)

Filed By: Thomas Aquino

OCCD CA 06-23-2021 Letter/Correspondence

OCCD CA 06-15-2021 Motion to Extend Time
Filed By: Thomas Aquino
Submit Date: 6-15-2021
Decision: (G) Grant
Decision Date: 6-16-2021
IT IS ORDERED that the time for filing the appellant's reply brief is extended to June 25, 2021.
See BRY event due on 6-25-2021

OCCD CA 05-21-2021 Brief of Respondent(s)
[Brief of Respondent](#)
Filed By: Maura Whelan

OCCD CA 05-03-2021 Motion to Extend Time
Filed By: Maura Whelan
Submit Date: 5-4-2021
Decision: (G) Grant
Decision Date: 5-5-2021
IT IS ORDERED that the time for filing the respondent's brief is extended to May 21, 2021.
See BRS event due on 5-21-2021
Comment: 2nd request

OCCD CA 04-05-2021 Motion to Extend Time
Filed By: Maura Whelan
Submit Date: 4-5-2021
Decision: (G) Grant
Decision Date: 4-7-2021
IT IS ORDERED that the time for filing the respondent's brief is extended to May 5, 2021.
See BRS event due on 5-5-2021

OCCD CA 03-10-2021 Letter/Correspondence
Comment: Letter from AAG Whelan re: assigned to matter

OCCD CA 03-01-2021 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Thomas Aquino

OCCD CA 02-15-2021 Motion to Extend Time
Filed By: Thomas Aquino
Submit Date: 2-15-2021
Decision: (G) Grant
Decision Date: 2-16-2021
IT IS ORDERED that the time for filing the appellant's brief is extended to March 1, 2021.
See BAP event due on 3-1-2021
Comment: 2nd request

OCCD CA 01-25-2021 Motion to Extend Time
Filed By: Thomas Aquino

Submit Date: 1-26-2021

Decision: (G) Grant

Decision Date: 1-27-2021

IT IS ORDERED that the time for filing the appellant's brief is extended to February 15, 2021.

See BAP event due on 2-15-2021

OCCD CA	12-14-2020	Sealed Documents
OCCD CA	12-14-2020	Record Comment: 1-2 to 94-34, ELECTRONICALLY FILED
OCCD CA	11-17-2020	Court Reporter's Statement-Trans. Court Reporter Name: (Fauske, Rheanna)
OCCD CA	11-16-2020	Statement on Transcript Filed By: Thomas Aquino Status: Ordered
OCCD CA	11-13-2020	Transcript filed in Circuit Court
OCCD CA	11-13-2020	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	11-13-2020	Fee Waived Comment: Filed by SPD
OCCD CA	11-13-2020	X Transfer
OCCD CA	11-12-2020	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	11-06-2020	Notice of Appeal filed in Cir. Ct.
OCCD CA	10-19-2020	Order of Circuit Court
OCCD CA	10-15-2020	Mot. Extend Time to Decide Postconviction Motion Filed By: Thomas Aquino Submit Date: 10-15-2020 Decision: (G) Grant Decision Date: 10-16-2020 IT IS ORDERED that the time for deciding the postconviction motion is extended to November 16, 2020.
OCCD CA	07-29-2020	Mot. Extend Time to file NAP/PCM Filed By: Thomas Aquino Submit Date: 7-29-2020 Decision: (G) Grant Decision Date: 7-31-2020 IT IS ORDERED that the time for filing the defendant's notice of appeal or postconviction motion is

extended to August 11, 2020.

Comment: 6th request

OCCD CA 05-28-2020

Mot. Extend Time to file NAP/PCM

Filed By: Elizabeth Nash

Submit Date: 6-1-2020

Decision: (G) Grant

Decision Date: 6-3-2020

IT IS ORDERED that the time for filing the defendants notice of appeal or postconviction motion is extended to July 27, 2020.

Comment: 5th request

OCCD CA 03-03-2020

Mot. Extend Time to file NAP/PCM

Filed By: Elizabeth Nash

Submit Date: 3-3-2020

Decision: (G) Grant

Decision Date: 3-5-2020

ORD that the time to file a postconviction motion or notice of appeal is extended to 5/4/20.

Comment: 4th request

OCCD CA 01-03-2020

Mot. Extend Time to file NAP/PCM

Filed By: Elizabeth Nash

Submit Date: 1-6-2020

Decision: (G) Grant

Decision Date: 1-7-2020

ORD that the time for filing a postconviction motion or notice of appeal is extended to 3/3/20.

Comment: 3rd request

OCCD CA 11-04-2019

Mot. Extend Time to file NAP/PCM

Filed By: Elizabeth Nash

Submit Date: 11-5-2019

Decision: (G) Grant

Decision Date: 11-6-2019

ORD that the time for filing a postconviction motion or notice of appeal is extended to 1/3/20.

Comment: 2nd request

OCCD CA 09-03-2019

Mot. Extend Time to file NAP/PCM

Filed By: Elizabeth Nash

Submit Date: 9-3-2019

Decision: (G) Grant

Decision Date: 9-5-2019

ORD that the time for filing a postconviction motion or notice of appeal is extended to 11/4/19.

OCCD CA 03-28-2019

Judgment of Circuit Court
