

Wisconsin Supreme Court and Court of Appeals Case Access

State v. D. K.

Appeal Number 2023AP000292

CONFIDENTIAL

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 1

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|--|
| OCCD | CA | 03-19-2024 | | Remittitur |
| OCCD | CA | 02-28-2024 | | Opinion Ordered Unpublished Comment: Opinion Ordered Unpublished |
| OCCD | SC | 02-01-2024 | | Fee Waived Comment: Circuit court appointment order on file |
| OCCD | SC | 02-01-2024 | | Petition for Review Filed By: Kimberley Bayer Submit Date: 2-20-2024 Decision: (D) Deny Decision Date: 3-19-2024 IT IS ORDERED that the petition for review is denied, without costs. Motion Response Filed By: Anne A Submit Date: 2-20-2024 Motion Response Filed By: 35738 (Spies-Karas, Jenni) Submit Date: 2-20-2024 |
| OCCD | CA | 01-03-2024 | | Opinion/Decision Judge Panel: Geenen Opinion: Opinion Decision: Affirmed Pages: 12 Order Text: Order affirmed |
| OCCD | CA | 12-04-2023 | | Briefs Sent to District |
| OCCD | CA | 12-04-2023 | | Reply Brief Filed By: Kimberley Bayer |

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| OCCD CA | 12-01-2023 | Motion to Extend Time |
| | Filed By: Kimberley Bayer Submit Date: 12-4-2023 Decision: (G) Grant Decision Date: 12-4-2023 | |
| | IT IS ORDERED that the reply brief may be filed on or before December 5, 2023. IT IS FURTHER ORDERED that the deadline for D.K. to file his appellant's brief is retroactively extended to November 2, 2023. See BRY event filed on 12-4-2023 | |
| OCCD CA | 11-16-2023 | Briefs Sent to District |
| OCCD CA | 11-16-2023 | Brief of Guardian ad Litem |
| | Filed By: Anne A | |
| OCCD CA | 11-14-2023 | Briefs Sent to District |
| OCCD CA | 11-14-2023 | Brief of Respondent(s) |
| OCCD CA | 11-02-2023 | Record and Briefs Sent to District 1 |
| OCCD CA | 11-02-2023 | Brief & Appendix of Appellant(s) |
| | Filed By: Kimberley Bayer Comment: Due +15 days from filing of REC (filed 10/3/23) per CTO of 3/22/23 | |
| OCCD CA | 10-17-2023 | Motion to Extend Time |
| | Filed By: Kimberley Bayer Submit Date: 10-17-2023 Decision: (G) Grant Decision Date: 10-18-2023 | |
| | IT IS ORDERED that the deadline for D.K. to file an opening brief and appendix is extended through November 1, 2023. See WIS. STAT. RULE 809.82(2)(a) (2021-22). See BAP event due on 11-1-2023 | |
| OCCD CA | 10-03-2023 | Notice of Reporter RE: Filing of Transcript(s) |
| | Court Reporter Name: (De La Rosa, Amy) | |
| OCCD CA | 10-03-2023 | Record |
| | Comment: ELECTRONICALLY FILED | |
| OCCD CA | 09-26-2023 | Notice of Reporter RE: Filing of Transcript(s) Notice of Reporter Regarding Filing of Transcript (Watral) |
| | Court Reporter Name: (Watral, Breeanna) | |
| OCCD CA | 09-20-2023 | Delinquent |
| | Comment: New due date of connected CRS: 9-27-2023 | |

OCCD CA 09-20-2023 Delinquent
Comment: New due date of connected CRS: 9-27-2023

OCCD CA 09-12-2023 Transcript filed in Circuit Court

OCCD CA 09-07-2023 Transcript filed in Circuit Court

OCCD CA 09-01-2023 Statement on Transcript
Filed By: Kimberley Bayer
Status: Ordered

OCCD CA 08-30-2023 Statement on Transcript
Filed By: Kimberley Bayer
Status: Ordered
Comment: Per CTO of 3/22/23.

OCCD CA 08-08-2023 Motion for Miscellaneous Relief
Filed By: Kimberley Bayer
Submit Date: 8-8-2023
Decision: (G) Grant
Decision Date: 8-10-2023
IT IS ORDERED that the deadline for the circuit court to decide the postdisposition motion is extended to August 23, 2023.
Comment: 3rd request for MXT to Decide Postdisposition Motion

OCCD CA 06-16-2023 Motion for Miscellaneous Relief
Filed By: Kimberley Bayer
Submit Date: 6-16-2023
Decision: (G) Grant
Decision Date: 6-19-2023
IT IS ORDERED that the deadline for the circuit court to decide the postconviction motion is extended to August 8, 2023.
Comment: 2nd request for MXT to Decide Postdispositon Motion

OCCD CA 05-19-2023 Motion for Miscellaneous Relief
Filed By: Kimberley Bayer
Submit Date: 5-22-2023
Decision: (G) Grant
Decision Date: 6-1-2023
IT IS ORDERED that the deadline for the circuit court to decide the postdisposition motion is extended through June 16, 2023. See WIS. STAT. RULE 809.82(2)(a).
Comment: MXT to Decide Postdispositon Motion

OCCD CA 04-20-2023 Motion for Miscellaneous Relief
Filed By: Kimberley Bayer
Submit Date: 4-20-2023
Decision: (G) Grant

Decision Date: 4-21-2023

IT IS ORDERED that the document described above is accepted as filed.

Comment: Motion to supplement Motion for Remand

OCCD CA 04-12-2023

Motion for Miscellaneous Relief

Filed By: Kimberley Bayer

Submit Date: 4-13-2023

Decision: (G) Grant

Decision Date: 4-14-2023

IT IS ORDERED that the deadline for D.K. to file a postjudgment motion in these consolidated matters is extended through April 17, 2023. See WIS. STAT. RULE 809.82(2)(a).

Comment: MXT to file postdisposition motion

OCCD CA 03-22-2023

Record Remanded to Circuit Court

Comment: per CTO of 3/22/23.

OCCD CA 03-22-2023

Consolidated Case

Comment: [2023AP000292, 2023AP000293]

OCCD CA 03-20-2023

Notice of Appearance

Comment: Atty. Roelandts appearing as GAL.

OCCD CA 03-17-2023

Motion for Remand

Filed By: Kimberley Bayer

Submit Date: 3-20-2023

Decision: (O) Other

Decision Date: 3-22-2023

IT IS ORDERED that appeal Nos. 2023AP292 and 2023AP293 are consolidated for purposes of further proceedings, briefing, and disposition under WIS. STAT. RULE 809.107. See WIS. STAT. RULE 809.10(3).

IT IS FURTHER ORDERED that these consolidated appeals are remanded to the circuit court to permit D.K. to pursue a postjudgment motion but this court retains jurisdiction over the appeals. See WIS. STAT. RULE 809.107(6)(am). The postjudgment motion shall be filed within twenty-one days after the date of this order.

IT IS FURTHER ORDERED that the circuit court shall hold necessary proceedings and enter an order in each case containing the circuit court's findings and conclusions resolving the postjudgment motion within sixty days after the date of this order.

IT IS FURTHER ORDERED that a transcript shall be ordered within three days of the hearing, if appellate counsel deems a transcript of the postjudgment proceedings necessary for the appeals, and any such transcript shall be filed and served within twenty days of the date that the transcript is ordered.

IT IS FURTHER ORDERED that appellate counsel shall, within five days after the hearing, file a statement on transcript in each case reflecting either that a post-remand transcript has been ordered or that such a transcript is not necessary for these appeals. Counsel for the appellant shall provide the court reporter with a copy of this order.

IT IS FURTHER ORDERED that the clerk of circuit court shall retransmit the records to this court within ten days after the later of the entry of the circuit court orders resolving the postjudgment motion or the filing of the transcript of the postjudgment motion hearing, if any such transcript is ordered. The records shall include documents, including transcripts, filed pursuant to this remand, and the circuit courts orders resolving the postjudgment motion. See WIS.

Comment: AND for consolidation w/ 23AP293; supplement accepted 4/21/23.

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| OCCD CA | 03-02-2023 | Record |
| Comment: ELECTRONICALLY FILED | | |
| OCCD CA | 02-23-2023 | Statement on Transcript |
| Filed By: Kimberley Bayer Status: Prev. Filed | | |
| OCCD CA | 02-17-2023 | Notice of Docketing of Appeal |
| OCCD CA | 02-17-2023 | Termination of Parental Rights |
| OCCD CA | 02-17-2023 | Fee Waived |
| Comment: Appointment order attached to NAP. | | |
| OCCD CA | 02-17-2023 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 02-17-2023 | X Transfer |
| OCCD CA | 02-16-2023 | Notice of Appeal filed in Circuit Court |
| OCCD CA | 10-20-2022 | Miscellaneous Motion on XX-Case |
| Filed By: Kimberley Bayer Submit Date: 10-20-2022 Decision: (G) Grant Decision Date: 10-21-2022 IT IS ORDERED that the deadline for D.K. to order transcripts in these matters is extended through October 20, 2022. Comment: MXT to request transcripts | | |
| OCCD CA | 10-20-2022 | Notice of Appearance |
| Comment: Atty. Bayer appointed by Court | | |
| OCCD CA | 10-13-2022 | Response |
| Comment: GAL Response to CTO of 8/18/22 | | |
| OCCD CA | 10-13-2022 | Other Papers |
| Comment: Recv'd returned mail for Jenni Spies-Karas (8/18/22 CTO); marked by USPS "RTS - attempted - not known," resent to address found on state bar website | | |
| OCCD CA | 10-13-2022 | Other Papers |
| Comment: Recv'd returned mail for Jenni Spies-Karas (8/18/2022 CTO amended); marked by USPS "RTS - attempted - not known," resent to address found on state bar | | |
| OCCD CA | 08-17-2022 | Miscellaneous Motion on XX-Case |
| Filed By: D. K | | |

Submit Date: 8-17-2022

Decision: (G) Grant

Decision Date: 8-18-2022

IT IS ORDERED that the deadline for D.K. to request transcripts and the circuit court record is extended through September 19, 2022. See WIS. STAT. RULE 809.82(2)(a) (2019-20).

IT IS FURTHER ORDERED that, within five days of the date of this order, Attorneys Jennie Spies-Karas and Anne M. Abell shall either opt in to participate in the Court of Appeals electronic filing system for this case or provide this court with an explanation for not doing so. See WIS. STAT. RULE 809.801 (eff. July 1, 2021).

ORDER AMENDED 08/25/2022 AS TO DISTRIBUTION.

Comment: Motion to Extend the Time for Requesting Transcripts and Circuit Court Case Record

OCCD CA 05-13-2022

Order of Circuit Court
