

Wisconsin Supreme Court and Court of Appeals Case Access

Brown County v. Brown County Taxpayers Association

Appeal Number 2020AP000940

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	04-06-2022		Remittitur
OCCD	SC	03-04-2022		Cites 971 N.W.2d 491
OCCD	SC	03-04-2022		Cites 400 Wis. 2d 781
OCCD	SC	03-04-2022		Opinion/Decision Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Affirmed Pages: 20 Written by: Bradley, Ann Walsh Bradley, Rebecca Grassl Wrote Dissenting Opinion 26 pages. Ziegler, Annette K. Joined Dissenting Opinion Order Text: The order of the circuit court is affirmed. Comment: Opinion/Decision Opinion/Decision - Supreme Court Opinion/Decision - Supreme Court
OCCD	SC	03-03-2022		Public Domain Citation Comment: PDC No: 2022 WI 13
OCCD	SC	02-07-2022		Attorney address updated Comment: Address changed for attorney: 27655 Andrew T. Phillips
OCCD	SC	11-16-2021		Oral Argument Comment: 1st case, 9:45 a.m. in the Capitol Hearing Room. Anthony LoCoco for Defendants-Third-Party-Plaintiffs-Appellants. Andrew T. Phillips for Plaintiff-Respondent.
OCCD	SC	09-07-2021		Briefs Received At State Law Library
OCCD	SC	08-24-2021		Assigned-Oral Argument

OCCD SC 07-30-2021 Other Brief
Filed By: Anthony LoCoco
Comment: Response to Non-Party Brief

OCCD SC 07-14-2021 Motion to File Amicus/Non-Party Brief
Filed By: Anthony LoCoco
Submit Date: 7-14-2021
Decision: (G) Grant
Decision Date: 7-20-2021
IT IS ORDERED that the motion is granted. Defendants-third-party-plaintiffs-appellants may file a single brief in response to the non-party amicus brief on or before August 3, 2021.
Comment: Motion for Leave to File Response to Non-Party Brief

OCCD SC 07-12-2021 Brief of Amicus Curiae
[Brief of Amicus Curiae \(Wisconsin Counties Association\)](#)
Filed By: Joseph Olson
Comment: Wisconsin Counties Association

OCCD SC 07-06-2021 Attorney Change
Comment: Notice of Withdrawal of Counsel

OCCD SC 06-29-2021 Reply Brief-Supreme Court
[Reply Brief-Supreme Court](#)
Filed By: Richard Esenberg

OCCD SC 06-29-2021 Response
Comment: parties to provide 17 copies of CA briefs if standing on CA brief, or 10 addl copies of CA brief if filing new SC brief (per cto 4/22/21)

OCCD SC 06-24-2021 Motion to File Amicus/Non-Party Brief
Filed By: Joseph Olson
Submit Date: 6-24-2021
Decision: (G) Grant
Decision Date: 6-28-2021
IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before July 12, 2021.
Comment: re: Wisconsin Counties Association

OCCD SC 06-15-2021 Response Brief-Supreme Court
[Response Brief-Supreme Court](#)
Filed By: Andrew Phillips
Comment: Brown County

OCCD SC 06-10-2021 No Brief to Be Filed
Comment: Letter from AAG Keenan re: DOR will not be filing SC brief, will rely on CA brief (17 copies of brief rec'd).

OCCD SC 05-24-2021

First Brief-Supreme Court
[First Brief-Supreme Court](#)

Filed By: Richard Esenberg

OCCD CA 04-23-2021

Hold Status

OCCD SC 04-22-2021

Court Changed to Supreme Court

OCCD SC 03-03-2021

Certification Filed

Filed By: Supreme Court Supreme Court

Submit Date: 3-4-2021

Decision: (G) Grant

Decision Date: 4-22-2021

ORD that the certification is granted and the appeal is accepted for consideration of all issues raised before the court of appeals. When this court grants direct review upon certification, it acquires jurisdiction of the case, Wis. Const. art. VII, 3(3), that is, the entire appeal, which includes all issues, not merely the issues certified or the issue for which the court accepts the certification. State v. Stoehr, 134 Wis 2d 66, 70, 396 N. W.2d 177(1986); Wis. Stat. 808.05(2) and (Rule) 809.61. Further, the court has jurisdiction over issues not certified because the court may review an issue directly on its own motion. Wis. Stat. 808.05(3); and

FRO that within 30 days after the date of this order the appellant must file either a brief in this court or a statement that no brief will be filed; that within 20 days of filing, the respondent must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent, within 10 days of filing, the appellant must file either a reply brief or a statement that no reply brief will be filed; and

FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief; instead, any material upon which there is reliance should be restated in the brief filed in this court; and

FRO that in the event any party elects not to file a brief in this court, the briefs previously submitted by that party to the court of appeals shall stand as that party's brief in the Supreme Court; and

FRO that within the time period established for the filing of briefs, each party must provide the clerk of this court with copies of the briefs previously filed on behalf of that party in the court of appeals. If a party elects to file a new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a part

Comment: Court Order of 4/22/21

OCCD CA 03-03-2021

[Opinion/Decision](#)

Judge Panel: Stark, Hruz, Seidl

Opinion: Certification

Decision: Certification Filed Pages: 22

Order Text: Certification filed

OCCD CA 12-08-2020

Submitted on Briefs

OCCD CA 11-04-2020

Briefs Received At State Law Library

Comment: Brief of Amicus Curiae

OCCD CA 10-30-2020

Other Papers

Comment: Notice of Withdrawal re: Atty Lucas Vebber

OCCD CA 10-16-2020

Briefs Sent to District

OCCD CA 10-16-2020

Brief of Amicus Curiae
[Amicus Brief of the Wisconsin Counties Association](#)
[Appendix to Amicus Brief of the Wisconsin Counties Association](#)

Filed By: Joseph Olson

Comment: Wisconsin Counties Association, separate appendix

OCCD CA 10-09-2020

Briefs Received At State Law Library

OCCD CA 09-23-2020

Rejected Electronic Document

Comment: This electronic version of the Reply brief has a document type description that reads "Brief of Appellant", as selected by the filing party. This document type description is not accurate and the e-document must therefore be rejected. Please upload a corrected electronic version of the brief and select "Reply brief" so that the correct colored electronic indicator bar (gray) will associate with the e-brief upon acceptance. Please notify clerk's office staff when done by calling 608-266-1880 so that it may be accepted for filing. Failure to notify may result in the delayed acceptance of the corrected e-document.

OCCD CA 09-21-2020

Record and Briefs Sent to District 3

OCCD CA 09-21-2020

Certificate of Filing by Mail

Comment: RE: Reply Brief, Mailed 9-18-2020, Copies (10), IB.

OCCD CA 09-21-2020

Reply Brief
[Reply Brief](#)

Filed By: Anthony LoCoco

Comment: Received 10 additional copies of CA briefs for SC use. -FW 6/29/2021

OCCD CA 09-18-2020

Motion to File Amicus/Non-Party Brief

Filed By: Joseph Olson

Submit Date: 10-1-2020

Decision: (G) Grant

Decision Date: 10-2-2020

IT IS ORDERED that the motion is granted. The amicus brief shall be filed by October 16, 2020. The brief shall not exceed thirteen pages if a monospaced font is used or 3,000 words if a proportional serif font is used. WIS. STAT. RULE 809.19(8)(c)2.

Comment: re: Wisconsin Counties Association 10-02-20 Order

OCCD CA 09-09-2020

Notice of Appearance

Comment: Notice of Appearance filed by Atty Nelson

OCCD CA 09-08-2020

Notice of Appearance

Comment: Filed by Atty Chintamaneni

OCCD CA 09-08-2020

Certificate of Filing by Mail

Comment: RE: Respondent's Brief, Mailed 9-2-2020, Copies (10).

OCCD CA 09-08-2020

Brief of Respondent(s)
[Brief of Respondent\(s\) - Peter Barca](#)

Filed By: Brian Keenan

Comment: Peter Barca, Secretary, Wisconsin Department of Revenue. 06-10-2021: received 17 copies of CA briefs for SC use. Ack filing of Brief of Respondent & COM

OCCD CA 09-03-2020

Certificate of Service

Comment: RE: Respondent's Brief, Mailed 9-3-2020, Copies (10), IB.

OCCD CA 09-03-2020

Notice of Appearance

Comment: Notice of Appearance re: Attys Raines & Avallone

OCCD CA 09-03-2020

Brief of Respondent(s)
[Brief of Respondent - Brown County](#)

Filed By: Andrew Phillips

Comment: Brown County. 6/15/2021: received 10 copies of CA briefs for SC use.

OCCD CA 08-04-2020

Certificate of Filing by Mail

Comment: RE: Appellant's Brief and Appendix, Mailed 8-3-2020, Copies (12), IB.

OCCD CA 08-04-2020

Brief & Appx of Appellant(s)
[Brief of Appellants](#)

Filed By: Richard Esenberg

Comment: Appendix Brief of Appellant. 05-24-21: Received 10 copies of CA briefs for SC use.

OCCD CA 06-22-2020

Record

Comment: 1-16 to 128-1, ELECTRONICALLY FILED Record Ack. Notice

OCCD CA 06-08-2020

Other Papers

Comment: Rec'd returned mail for Atty Andrew T. Phillips (5/28/20 NNA) marked by USPS "RTS - not deliverable as addressed - unable to fwd"; nothing appears incorrect on envelope, www.wisbar.org lists address whose only difference is omission of PO Box. Mailing resent 6/10/20 to physical address, PO Box omitted from atty's address record.

OCCD CA 06-08-2020

Attorney Change

Comment: AAG Keenan added as co-counsel for Peter Barca per letter. Attorney Change

OCCD CA 06-01-2020

Statement on Transcript

Filed By: Richard Esenberg

Status: Prev. Filed

Comment: Statement on Transcript

WSCCA Case History

OCCD CA 05-30-2020 Fee Paid

Comment: Receipt No: 20R 001030

OCCD CA 05-29-2020 Notif. Sent-Filing of NAP & Ct. Record

Comment: Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 05-28-2020 Notice of Appeal & Court Record

Comment: Notice of Appeal & Court Record

OCCD CA 05-22-2020 Docketing Statement from Appellant

Comment: Docketing Statement from Appellant

OCCD CA 05-20-2020 Notice of Appeal filed in Cir. Ct.

Comment: Notice of Appeal filed in circuit court

OCCD CA 05-18-2020 Judgment of Circuit Court
